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Agenda item 27

Towards global partnerships

Report of the Second Committee

Rapporteur: Ms. Anneli **Lepp** (Estonia)

I. Introduction

1. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-third session the item entitled "Towards global partnerships" and to allocate it to the Second Committee.

2. The Second Committee considered the item at its 21st and 27th meetings, on 23 October and 3 December 2018. An account of the Committee's discussion of the item is contained in the relevant summary records.[1] Attention is also drawn to the general debate held by the Committee at its 2nd to 6th meetings, on 8, 9 and 10 October.[2]

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on enhanced cooperation between the United Nations and all relevant partners, in particular the private sector (A/73/326);

(b) Note by the Secretary-General on the report of the Joint Inspection Unit entitled "United Nations system-private sector partnership arrangements in the context of the 2030 Agenda for Sustainable Development" (A/73/186);

(c) Note by the Secretary-General transmitting his comments and those of the United Nations System Chief Executives Board for Coordination on the report of the Joint Inspection Unit entitled "United Nations system-private sector partnership arrangements in the context of the 2030 Agenda for Sustainable Development" (A/73/186/Add.1);

(d) Letter dated 22 October 2018 from the Permanent Representative of Malawi to the United Nations addressed to the Secretary-General, transmitting the

[1] A/C.2/73/SR.21 and A/C.2/73/SR.27.
[2] See A/C.2/73/SR.2, A/C.2/73/SR.3, A/C.2/73/SR.4, A/C.2/73/SR.5 and A/C.2/73/SR.6.

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Ministerial Declaration adopted at the annual ministerial meeting of the least developed countries, held in New York on 26 September 2018 (A/73/455).

4. At the 21st meeting, on 23 October, the Chief of Intergovernmental Relations and Africa of the United Nations Global Compact; the Inspector of the Joint Inspection Unit, by videoconference; and the representative of the secretariat of the United Nations System Chief Executives Board for Coordination made introductory statements.

5. At the 23rd meeting, on 8 November, the representative of the United States of America made a statement with regard to the draft resolutions before the Committee.[3]

6. At the 27th meeting, on 3 December, the representative of the Bolivarian Republic of Venezuela made a statement with regard to the draft resolutions adopted by the Committee.[4]

II. Consideration of draft resolution A/C.2/73/L.32/Rev.1

7. At the 27th meeting, on 3 December, the representative of Austria, on behalf of Albania, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, Norway, Poland, Portugal, the Republic of Moldova, Romania, Serbia, Seychelles, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "Towards global partnerships: a principle-based approach to enhanced cooperation between the United Nations and all relevant partners" (A/C.2/73/L.32/Rev.1).

8. At the same meeting, the Committee was informed that the draft resolution had no programme budget implications.

9. Also at the same meeting, the Secretary of the Committee announced that Andorra, Armenia, Canada, Iceland, Israel, Mexico, the Republic of Korea and San Marino had joined in sponsoring the draft resolution. Subsequently, Australia, Guinea, Guyana, Liechtenstein, Malawi, Monaco, Morocco, Switzerland and Togo also joined in sponsoring the draft resolution.

10. At the same meeting, the Committee adopted draft resolution A/C.2/73/L.32/Rev.1 (see para. 11).

[3] See A/C.2/73/SR.23.
[4] See A/C.2/73/SR.27.

III. Recommendation of the Second Committee

11. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

Towards global partnerships: a principle-based approach to enhanced cooperation between the United Nations and all relevant partners

The General Assembly,

Recalling its resolutions 55/215 of 21 December 2000, 56/76 of 11 December 2001, 58/129 of 19 December 2003, 60/215 of 22 December 2005, 62/211 of 19 December 2007, 64/223 of 21 December 2009, 66/223 of 22 December 2011, 68/234 of 20 December 2013 and 70/224 of 22 December 2015, as well as its decision 72/543 of 20 December 2017,

Reaffirming its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", in which it adopted a comprehensive, far-reaching and people-centred set of universal and transformative Sustainable Development Goals and targets, its commitment to working tirelessly for the full implementation of the Agenda by 2030, its recognition that eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development, its commitment to achieving sustainable development in its three dimensions — economic, social and environmental — in a balanced and integrated manner, and to building upon the achievements of the Millennium Development Goals and seeking to address their unfinished business,

Reaffirming also its resolution 69/313 of 27 July 2015 on the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, which is an integral part of the 2030 Agenda for Sustainable Development, supports and complements it, helps to contextualize its means of implementation targets with concrete policies and actions, and reaffirms the strong political commitment to address the challenge of financing and creating an enabling environment at all levels for sustainable development in the spirit of global partnership and solidarity,

Reaffirming further its resolution 71/243 of 21 December 2016 on the quadrennial comprehensive policy review of operational activities for development of the United Nations system and the general guidelines and principles contained therein, as well as its resolution 72/279 of 31 May 2018 on the repositioning of the United Nations development system in the context of the quadrennial comprehensive policy review of operational activities for development of the United Nations system, and welcoming the efforts of the Secretary-General to better position the United Nations operational activities for development to support countries in their efforts to implement the 2030 Agenda for Sustainable Development,

Recalling the objectives of the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda, in particular with regard to developing partnerships through the provision of greater opportunities to the private sector, non-governmental organizations and civil society in general so as to enable them to contribute to the realization of the goals and programmes of the Organization, in particular in the pursuit of sustainable development and the eradication of poverty,

Welcoming, therefore, the contribution of all relevant stakeholders, including the private sector, civil society, non-governmental organizations, philanthropic organizations, scientific and technological communities and academia, that respect

and support, as appropriate, the core values and principles of the United Nations, to the realization of the Sustainable Development Goals and other internationally agreed development goals,

Emphasizing that cooperation between the United Nations and all relevant partners, in particular the private sector, can further contribute to addressing the obstacles confronted in particular by developing countries through responsible business practices, such as respecting the principles of the United Nations Global Compact and taking action, including by mobilizing the resources needed to finance sustainable development, and to realizing the internationally agreed development goals in developing countries,

Recognizing the unique position of the United Nations as a builder of bridges among countries and all stakeholders, and the progress achieved in the work of the United Nations on partnerships, notably in the framework of various United Nations organizations, agencies, funds, programmes, task forces, commissions and initiatives, and noting the establishment of partnerships at the field level entered into by various United Nations agencies, non-public partners and Member States, as well as multi-stakeholder partnerships,

Underlining the fact that cooperation between the United Nations and all relevant partners, including the private sector, and all partnerships using the United Nations name or emblem shall serve the purposes and principles embodied in the Charter and shall be undertaken in a manner that maintains and promotes the integrity, impartiality and independence of the Organization,

Welcoming the efforts and encouraging further efforts by all relevant partners, including the private sector, to engage as reliable and consistent partners in the development process and to take into account not only the economic and financial but also the developmental, social, human rights, gender and environmental implications of their undertakings, and, in general, towards implementing corporate social and environmental responsibility, that is, bringing such values and responsibilities to bear on their conduct and policies premised on profit incentives, in conformity with national laws and regulations,

Emphasizing that multi-stakeholder partnerships in particular and the resources, knowledge and ingenuity of all relevant stakeholders will be important in mobilizing and sharing knowledge, expertise, technology and financial resources, complementing the efforts of Governments and supporting the achievement of the Sustainable Development Goals, in particular in developing countries,

Recalling the Guidelines on a Principle-based Approach to the Cooperation between the United Nations and the Business Sector and their alignment with the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework,[1]

Recalling also that the 2030 Agenda for Sustainable Development acknowledges that the implementation of sustainable development will depend on the active engagement of both the public and private sectors, and recognizing that the active participation of the private sector can contribute to the achievement of sustainable development, as well as recognizing the roles and contributions of civil society, the scientific and technological communities, non-governmental organizations and other relevant international organizations, including international financial institutions and multilateral development banks, in advancing sustainable development,

[1] A/HRC/17/31, annex.

Recognizing the contributions of all relevant partners, including the private sector, in fostering stability and supporting recovery by creating job opportunities, advancing economic development, as well as infrastructure development, and, as appropriate, contributing to trust, reconciliation and security,

Noting that financial and economic crises demonstrate the need for values and principles in business, including for sustainable business practices, gender equality, social protection floors and the promotion of full and productive employment and decent work for all,

Reaffirming the principles of sustainable development, and underlining the global consensus reached on the key values and principles that will promote sustainable, fair, equitable and sustained economic development and that corporate social and environmental responsibility are important elements of that consensus,

Recognizing the continued efforts by the Development Cooperation Forum of the Economic and Social Council and other relevant forums to strengthen partnerships with the private sector and other stakeholders,

Encouraging the private sector in the context of enhanced cooperation between the United Nations and all its relevant partners to enhance its involvement in combating climate change, and welcoming the commitments to leadership on climate action already made by relevant stakeholders,

Recalling that the high-level political forum on sustainable development has a central role in overseeing the follow-up and review of the 2030 Agenda for Sustainable Development at the global level, including with regard to partnerships,

Stressing the importance of the high-level political forum on sustainable development in supporting the participation in follow-up and review processes by the major groups and other relevant stakeholders pursuant to resolution 67/290 of 9 July 2013, and calling upon those actors to report on their contribution to the implementation of the 2030 Agenda for Sustainable Development,

Recognizing the vital role that the United Nations Global Compact Office continues to play with regard to strengthening the capacity of the United Nations to partner strategically with the private sector, in accordance with its mandate from the General Assembly, to advance United Nations values and responsible business practices within the United Nations system and among the global business community, and in this regard noting the principles and initiatives of the United Nations Global Compact,

1. *Takes note* of the report of the Secretary-General on enhanced cooperation between the United Nations and all relevant partners, in particular the private sector;[2]

2. *Acknowledges* that the implementation of the 2030 Agenda for Sustainable Development[3] requires a strong commitment to partnership at all levels between Governments, the private sector, civil society and all other relevant stakeholders, and therefore recognizes the importance of the various contributions of all relevant stakeholders, including the private sector;

3. *Takes note* of the report of the Joint Inspection Unit entitled "The United Nations system: private sector partnerships arrangements in the context of the 2030 Agenda for Sustainable Development"[4] and of the note of the Secretary-General in response to that report;[5]

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[2] A/73/326.

[3] Resolution 70/1.

[4] JIU/REP/2017/8.

[5] A/73/186/Add.1.

4. *Stresses* that partnerships are voluntary and collaborative relationships between various parties, both public and non-public, in which all participants agree to work together to achieve a common purpose or undertake a specific task and, as mutually agreed, to share risks and responsibilities, resources and benefits;

5. *Also stresses* that partnerships will be critical to the achievement of the Sustainable Development Goals, as an effective instrument for mobilizing additional human and financial resources, expertise, technology and knowledge, while reiterating that partnerships are a complement to, but are not intended as a substitute for, the commitment made by Governments with a view to achieving the Goals;

6. *Further stresses* that partnerships should be consistent with national laws and national development strategies and plans, as well as the priorities of countries where they are implemented, bearing in mind the relevant guidance provided by Governments;

7. *Emphasizes* the vital role played by Governments in promoting responsible business practices, including providing and ensuring enforcement of the necessary legal and regulatory frameworks in accordance with national legislation and development priorities, and invites them to continue to provide support to United Nations efforts to engage with the private sector and other relevant stakeholders, as appropriate;

8. *Recognizes* the vital role that the private sector plays in sustainable development, including by engaging in various partnership models, by generating decent employment as well as investment, by giving access to and developing new technologies, by offering technical vocational training activities and by stimulating sustained, inclusive and sustainable economic growth;

9. *Welcomes* the efforts of the Secretary-General to steer the United Nations system towards giving greater attention to longer-term, strategic and innovation-based multi-stakeholder partnerships in order to leverage private sector competencies and technologies, with a view to generating greater potential for innovation and increased impact on sustainable development, which is needed for the timely achievement of the Sustainable Development Goals;

10. *Emphasizes* that the Secretary-General, in his capacity as Chair of the United Nations System Chief Executives Board for Coordination, and the executive heads of interested organizations should build on existing and ongoing efforts and continue to empower the United Nations Innovation Network or other existing United Nations joint innovation initiatives, such as United Nations technology and innovation laboratories, to identify and discuss issues that are relevant for the coordination of the existing innovation initiatives, funds, laboratories, accelerators and incubators, and their interface with the private sector, with a view to facilitating and stimulating innovation in the implementation of the 2030 Agenda for Sustainable Development;

11. *Encourages* the United Nations funds and programmes to continue to actively engage with other stakeholders, including civil society, the private sector and foundations, with a view to diversifying potential sources of funding, especially core funding, for their operational activities for development, in alignment with the core principles of the United Nations development system and with full respect for the national priorities of programme countries;

12. *Recognizes* that these partnerships should give priority to core resources, while noting the need to make non-core resources from partners flexible and aligned with strategic plans and national priorities;

13. *Stresses* that greater effort is required to unlock new financial flows, including from mainstream institutional investors, for the timely implementation of the 2030 Agenda for Sustainable Development, as a complement to public finance and international development cooperation;

14. *Welcomes* the growing number of businesses that embrace a core business model that takes account of the environmental, social and governance impacts of their activities, encourages and urges all businesses to adopt principles for responsible business and investing, and supports the work of the United Nations Global Compact in this regard;

15. *Calls upon* the United Nations funds, programmes and the specialized agencies, at the request of national Governments, to improve their support for the building, development and strengthening of national capacities, to support development results at the country level and to promote national ownership and leadership, in line with national development policies, plans and priorities, taking into account their respective mandates and bearing in mind their comparative advantages, in assisting Governments in leveraging partnerships;

16. *Welcomes* the ongoing efforts of the Secretary-General to further improve the collaboration of the United Nations with all relevant partners, including the private sector, and recognizes his efforts to strengthen the capacities of the United Nations system, including by mainstreaming understanding of the role of partnerships throughout the system, and to discuss the potential for further strengthening of cooperation and coordination across the United Nations system with regard to partnerships, with a view to enhancing the results achieved through them, while acknowledging the importance of continued consultations with Member States;

17. *Also welcomes* the commitment of the Secretary-General to continuing to retain the integrity and unique role of the United Nations Global Compact, and underlines the importance of integrity measures as taken and advocated by the United Nations Global Compact;

18. *Invites* the United Nations system, when considering partnerships, to seek to engage in a more coherent manner with private sector entities, including micro, small and medium-sized enterprises, that support the core values of the United Nations, as reflected in the Charter of the United Nations and other relevant conventions and treaties, and that commit to the principles of the United Nations Global Compact by translating them into operational corporate policies, codes of conduct, and management, monitoring and reporting systems;

19. *Recalls* the request to the Secretary-General, in this regard, as appropriate, in collaboration with the funds and programmes, the specialized agencies and other relevant United Nations entities and mechanisms, to disclose the partners, contributions and matching funds for all relevant partnerships, including at the country level, and to ensure that these elements are coherently reflected in the reporting of partnership activities by the United Nations funds, programmes and, as appropriate, agencies to their respective governing bodies;

20. *Stresses* the need for the United Nations system to continue its efforts to develop, for those partnerships in which it participates, a common and coherent approach across the United Nations system that places greater emphasis on transparency, impact, accountability, due diligence and risk management, while taking into account the specific mandates of United Nations agencies, programmes and other entities and without imposing undue rigidity in partnership agreements;

21. *Acknowledges* the importance of corporate sustainability reporting, encourages companies, especially publicly listed and large companies, to integrate sustainability and due diligence information into their reporting cycles, encourages

industry, interested Governments and relevant stakeholders, with the support of the United Nations system, as appropriate, to enhance existing models and develop new models for best practice and to facilitate action for the integration of sustainability reporting, taking into account experiences from already existing frameworks and paying particular attention to the needs of developing countries, including for capacity-building, and welcomes in this context the collaboration of the United Nations Global Compact with the Global Reporting Initiative and the World Business Council for Sustainable Development;

22. *Requests* the Secretary-General to continue to promote effective implementation of the Guidelines on a Principle-based Approach to the Cooperation between the United Nations and the Business Sector;

23. *Encourages* the international community to strengthen global partnerships to foster youth employment and promote frameworks for action, including the Global Jobs Pact of the International Labour Organization, the Global Initiative on Decent Jobs for Youth and the call for action on youth employment, in accordance with national plans and priorities;

24. *Invites* the academic, research and scientific communities to contribute to the realization of the 2030 Agenda for Sustainable Development, and in this regard recognizes the important role of the United Nations Academic Impact, among other initiatives, and to support and participate in multi-stakeholder partnerships to this end;

25. *Notes with appreciation* the convening of the annual United Nations Private Sector Forum as well as the Sustainable Development Goals business forum, organized by the United Nations and the International Chamber of Commerce to foster the implementation of the Goals;

26. *Recognizes* the work and the important role of the Global Compact Local Networks in supporting the implementation of the 2030 Agenda for Sustainable Development locally;

27. *Also recognizes* the importance of cooperation between the United Nations system at the local level, including the reinvigorated resident coordinator system, and all relevant stakeholders, as appropriate, in alignment with the United Nations Development Assistance Framework, to support the coordination and application of global partnerships;

28. *Further recognizes* that the Global Compact Local Networks provide an avenue for diffusing United Nations values and principles and facilitating partnerships with business on a broad scale;

29. *Stresses* the importance of developing national strategies for the promotion of sustainable, inclusive and productive entrepreneurial activities through partnerships, encourages Governments to create a climate that is conducive to increasing the number of women entrepreneurs and the size of their businesses, and to prevent discrimination, sexual harassment and abuse in the workplace, requests the United Nations Global Compact to promote the Women's Empowerment Principles and to encourage the Global Compact Local Networks to create awareness of the many ways in which business can promote gender equality in the workplace, marketplace and community, and encourages the private sector to contribute to advancing gender equality;

30. *Takes note* of the work of the United Nations private sector focal points network, and encourages the network to promote greater coherence and capacity-building within the Organization on activities involving business and disseminating innovations in engagement across the system, as well as the holding of annual

meetings of United Nations system private sector focal points, which remain important forums for the exchange of best practices, lessons learned and innovations in partnerships with the private sector;

31. *Requests* the Secretary-General to submit to the General Assembly at its seventy-sixth session a report on the implementation of the present resolution, and decides to include in the provisional agenda of its seventy-sixth session the item entitled "Towards global partnerships", unless otherwise agreed.

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Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

Report of the Second Committee

Rapporteur: Ms. Anneli **Lepp** (Estonia)

I. Introduction

1. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-third session the item entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources" and to allocate it to the Second Committee.

2. The Second Committee considered the item at its 22nd and 23rd meetings, on 24 October and on 8 November 2018. An account of the Committee's consideration of the item is contained in the relevant summary records.[1] Attention is also drawn to the general debate held by the Committee at its 2nd to 6th meetings, on 8, 9 and 10 October.[2]

3. For its consideration of the item, the Committee had before it a note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan (A/73/87-E/2018/69).

4. At the 22nd meeting, on 24 October, the Deputy Executive Secretary of the Economic and Social Commission for Western Asia made an introductory statement.

[1] A/C.2/73/SR.22 and A/C.2/73/SR.23.

[2] See A/C.2/73/SR.2, A/C.2/73/SR.3, A/C.2/73/SR.4, A/C.2/73/SR.5 and A/C.2/73/SR.6.

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5. At the same meeting, the observer for the State of Palestine made a statement.

6. At the 23rd meeting, on 8 November, the representative of the United States of America made a statement with regard to the draft resolutions before the Committee.[3]

II. Consideration of draft resolution A/C.2/73/L.37

7. At the 23rd meeting, on 8 November, the representative of Egypt, on behalf of the States that are members of the Group of 77 and China, taking into account also the provisions of General Assembly resolution 52/250, introduced a draft resolution entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources" (A/C.2/73/L.37).

8. At the same meeting, the Committee was informed that the draft resolution had no programme budget implications.

9. Also at the same meeting, Turkey joined in sponsoring the draft resolution.

10. Also at its 23rd meeting, the Committee adopted draft resolution A/C.2/73/L.37 by a recorded vote of 149 to 6, with 12 abstentions (see para. 16). The voting was as follows:[4]

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Monaco, Mongolia, Montenegro, Morocco, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, United States of America.

[3] A/C.2/73/SR.23.

[4] Subsequently, the delegation of the Dominican Republic informed the Secretariat that it had intended to vote in favour.

Abstaining:

Australia, Cameroon, Côte d'Ivoire, Guatemala, Honduras, Kiribati, Mexico, Papua New Guinea, Samoa, Togo, Tonga, Tuvalu.

11. At the same meeting, the representative of Saudi Arabia made a statement before the vote.

12. Also at the same meeting, before the vote, the representative of Israel made a statement in explanation of vote.

13. Also at the 23rd meeting, after the vote, a statement in explanation of vote was made by the representative of Austria, on behalf of the States members of the European Union.

14. At the same meeting, statements were made by the observer for the State of Palestine and the representative of the Syrian Arab Republic.

15. Also at the same meeting, a statement on a point of order was made by the representative of the Dominican Republic, to which the Secretary of the Committee responded.

III. Recommendation of the Second Committee

16. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 72/240 of 20 December 2017, and taking note of Economic and Social Council resolution 2018/20 of 24 July 2018,

Recalling also its resolutions 58/292 of 6 May 2004 and 59/251 of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980, 497 (1981) of 17 December 1981 and 2334 (2016) of 23 December 2016,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Bearing in mind its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights[2] and the International Covenant on Economic, Social and Cultural Rights,[2] and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,[3] and recalling further its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Recalling further its resolution 67/19 of 29 November 2012,

Taking note of the accession by Palestine to several human rights treaties and the core humanitarian law treaties, as well as to other international treaties,

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[1] United Nations, *Treaty Series*, vol. 75, No. 973.

[2] See resolution 2200 A (XXI), annex.

[3] See A/ES-10/273 and A/ES-10/273/Corr.1.

Expressing its concern about the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern about the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses, and the grave environmental and economic impact in this regard,

Expressing its grave concern also about the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines, sewage networks and electricity networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip during the military operations of July and August 2014, which, inter alia, has polluted the environment and which negatively affects the functioning of water and sanitation systems and the water supply and other natural resources of the Palestinian people, and stressing the urgency of the reconstruction and development of water and other vital civilian infrastructure, including the project for the desalination facility for the Gaza Strip,

Expressing its grave concern further about the negative impact on the environment and on reconstruction and development efforts of unexploded ordnance that remains in the Gaza Strip as a result of the conflict in July and August 2014, and commending the efforts of the Mine Action Service of the United Nations for the safe removal of such ordnance,

Expressing its grave concern about the chronic energy shortage in the Gaza Strip and its detrimental impact on the operation of water and sanitation facilities, which threaten to further erode groundwater resources, of which only 5 per cent remains potable,

Recalling the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip, and relevant reports by the United Nations country team, including "Gaza in 2020: a liveable place?", "Gaza: two years after" and "Gaza ten years later", and stressing the need for follow-up to the recommendations contained therein,

Deploring the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, including the destruction of orchards and crops and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard,

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,[4]

Aware of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement on all tracks, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978, 1397 (2002) of 12 March 2002 and

[4] A/HRC/22/63.

2334 (2016), the principle of land for peace, the Arab Peace Initiative[5] and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,[6] as endorsed by the Council in its resolution 1515 (2003) of 19 November 2003 and supported by the Council in its resolution 1850 (2008) of 16 December 2008,

Stressing also, in this regard, the need for respect for the obligation upon Israel under the road map to freeze settlement activity, including so-called "natural growth", and to dismantle all settlement outposts erected since March 2001,

Stressing further the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling that the Security Council, in its resolution 2334 (2016), underlined that it would not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations,

Recalling also the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan, as transmitted by the Secretary-General,[7]

1. *Reaffirms* the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land, water and energy resources;

2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, and Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court of Justice[3] and in relevant United Nations resolutions, including General Assembly resolution ES-10/15;

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease immediately and completely all policies and measures aimed at the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

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[5] A/56/1026-S/2002/932, annex II, resolution 14/221.

[6] S/2003/529, annex.

[7] A/73/87-E/2018/69.

6. *Also calls upon* Israel, the occupying Power, to bring a halt to all actions, including those perpetrated by Israeli settlers, harming the environment, including the dumping of all kinds of waste materials, in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines, sewage networks and electricity networks, and to cease its demolition and confiscation of Palestinian homes and civilian infrastructure, agricultural lands and water wells, which, inter alia, have a negative impact on the natural resources of the Palestinian people, stresses the urgent need to advance reconstruction and development projects in this regard, including in the Gaza Strip, and calls for support for the necessary efforts in this regard, in line with the commitments made at, inter alia, the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014;

8. *Calls upon* Israel, the occupying Power, to remove all obstacles to the implementation of critical environmental projects, including sewage treatment plants in the Gaza Strip and the reconstruction and development of water infrastructure, including the project for the desalination facility for the Gaza Strip;

9. *Also calls upon* Israel not to impede Palestinian development and export of discovered oil and natural gas reserves;

10. *Calls for* the immediate and safe removal of all unexploded ordnance in the Gaza Strip and for support for the efforts of the Mine Action Service of the United Nations in this regard, and welcomes the extensive efforts exerted by the Mine Action Service to date;

11. *Encourages* all States and international organizations to continue to actively pursue policies to ensure respect for their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlement activities and the exploitation of natural resources;

12. *Underscores*, in this regard, the call by the Security Council, in its resolution 2334 (2016), upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;

13. *Requests* the Secretary-General to report to the General Assembly at its seventy-fourth session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and with regard to the impact of such practices on the promotion of the Sustainable Development Goals,[5] and decides to include in the provisional agenda of its seventy-fourth session the item entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".

[5] See resolution 70/1.

United Nations A/73/547

General Assembly

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Seventy-third session
Agenda item 123

Revitalization of the work of the General Assembly

Report of the Second Committee

Rapporteur: Ms. Anneli **Lepp** (Estonia)

I. Introduction

1. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-third session the item entitled "Revitalization of the work of the General Assembly" and to allocate it to all the Main Committees for the sole purpose of considering and taking action on their respective tentative programmes of work.

2. The Second Committee considered the item at its 1st, 26th and 27th meetings, on 4 October, 30 November and 3 December 2018. An account of the Committee's discussion of the item is contained in the relevant summary records.[1]

3. At its 26th meeting, on 30 November, upon the proposal of the Chair, the Committee agreed to organize informal meetings of the Committee in early 2019 to discuss the revitalization of its work.

II. Consideration of document A/C.2/73/L.67

4. At its 27th meeting, on 3 December, the Committee had before it a draft decision on its draft programme of work for the seventy-fourth session of the General Assembly (A/C.2/73/L.67), as submitted by the Bureau.

5. At the same meeting, the Chair drew the attention of the Committee to the provisional programme of work and timetable for the Committee at the seventy-fourth session of the General Assembly (A/C.2/73/CRP.1).

6. Also at the same meeting, the Committee adopted the draft decision on its draft programme of work for the seventy-fourth session of the General Assembly, as contained in document A/C.2/73/L.67, and recommended its approval by the Assembly (see para. 7).

[1] A/C.2/73/SR.1, A/C.2/73/SR.26 and A/C.2/73/SR.27.

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III. Recommendation of the Second Committee

7. The Second Committee recommends to the General Assembly the approval of the following draft decision.

Programme of work of the Second Committee for the seventy-fourth session of the General Assembly

The General Assembly approves, subject to any subsequent decision by the Assembly, the draft programme of work of the Second Committee for the seventy-fourth session of the Assembly as set out below. The Assembly further invites the Bureau of the Second Committee at its seventy-fourth session, in preparing the draft programme of work and timetable of the Committee for its seventy-fourth session, to take into account the provisional programme of work and timetable of the Committee as contained in document A/C.2/73/CRP.1.

Draft programme of work

1. Information and communications technologies for sustainable development.
2. Macroeconomic policy questions:
   (a) International trade and development;
   (b) International financial system and development;
   (c) External debt sustainability and development;
   (d) Commodities;
   (e) Financial inclusion for sustainable development;
   (f) Promotion of international cooperation to combat illicit financial flows and strengthen good practices on assets return to foster sustainable development.
3. Follow-up to and implementation of the outcomes of the International Conferences on Financing for Development.
4. Sustainable development:
   (a) Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development and of the United Nations Conference on Sustainable Development;
   (b) Follow-up to and implementation of the SIDS Accelerated Modalities of Action (SAMOA) Pathway and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States;
   (c) Disaster risk reduction;
   (d) Protection of global climate for present and future generations of humankind;
   (e) Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;
   (f) Convention on Biological Diversity;

(g) Education for sustainable development;

(h) Harmony with Nature;

(i) Ensuring access to affordable, reliable, sustainable and modern energy for all;

(j) Combating sand and dust storms;

(k) Sustainable mountain development.

5. Globalization and interdependence:

(a) Role of the United Nations in promoting development in the context of globalization and interdependence;

(b) Science, technology and innovation for sustainable development;

(c) Culture and sustainable development;

(d) Development cooperation with middle-income countries.

6. Groups of countries in special situations:

(a) Follow-up to the Fourth United Nations Conference on the Least Developed Countries;

(b) Follow-up to the second United Nations Conference on Landlocked Developing Countries.

7. Eradication of poverty and other development issues:

(a) Implementation of the Third United Nations Decade for the Eradication of Poverty (2018–2027);

(b) Women in development;

(c) Human resources development;

(d) Eradicating rural poverty to implement the 2030 Agenda for Sustainable Development.

8. Operational activities for development:

(a) Operational activities for development of the United Nations system;

(b) South-South cooperation for development.

9. Agriculture development, food security and nutrition.

10. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources.

United Nations A/73/548

General Assembly

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Agenda item 137

Programme planning

Report of the Second Committee

Rapporteur: Ms. Anneli **Lepp** (Estonia)

1. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-third session the item entitled "Programme planning" and to allocate it to all the Main Committees and the plenary to enhance the discussion of evaluation, planning, budgeting and monitoring reports.

2. The Second Committee considered the item at its 27th meeting, on 3 December 2018, and decided that no action was required on the item.

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United Nations A/73/549

General Assembly

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Agenda item 79

Criminal accountability of United Nations officials and experts on mission

Report of the Sixth Committee

Rapporteur: Ms. Nadia Alexandra **Kalb** (Austria)

I. Introduction

1. The item entitled "Criminal accountability of United Nations officials and experts on mission" was included in the provisional agenda of the seventy-third session of the General Assembly pursuant to Assembly resolution 72/112 of 7 December 2017.

2. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 5th, 6th, 33rd, 34th and 35th meetings, on 5 October and on 5, 6 and 13 November 2018. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records.[1]

4. For its consideration of the item, the Committee had before it reports of the Secretary-General (A/73/128, A/73/129 and A/73/155).

5. At its 1st meeting, on 3 October 2018, the Committee established a working group, pursuant to General Assembly resolution 72/112, to continue the consideration of the report of the Group of Legal Experts established by the Secretary-General pursuant to Assembly resolution 59/300 (A/60/980), in particular its legal aspects. The Working Group was open to all States Members of the United Nations or members of the specialized agencies or of the International Atomic Energy Agency. The Working Group held two meetings, on 10 and 15 October.

6. At its 33rd meeting, on 5 November, the Committee heard and took note of the oral report of the Chair of the Working Group.

[1] A/C.6/73/SR.5, A/C.6/73/SR.6, A/C.6/73/SR.33, A/C.6/73/SR.34 and A/C.6/73/SR.35.

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II. Consideration of draft resolution A/C.6/73/L.15

7. At the 34th meeting, on 6 November, the representative of Pakistan, on behalf of the Bureau, introduced a draft resolution entitled "Criminal accountability of United Nations officials and experts on mission" (A/C.6/73/L.15).

8. At its 35th meeting, on 13 November, the Committee adopted draft resolution A/C.6/73/L.15 without a vote (see para. 9).

III. Recommendation of the Sixth Committee

9. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Criminal accountability of United Nations officials and experts on mission

The General Assembly,

Recalling its resolution 59/281 of 29 March 2005, in which it endorsed the recommendation of the Special Committee on Peacekeeping Operations that the Secretary-General make available to the United Nations membership a comprehensive report on the issue of sexual exploitation and abuse in United Nations peacekeeping operations,[1]

Recalling also that the Secretary-General, on 24 March 2005, transmitted to the President of the General Assembly a report of his Adviser concerning sexual exploitation and abuse by United Nations peacekeeping personnel,[2]

Recalling further its resolution 59/300 of 22 June 2005, in which it endorsed the recommendation of the Special Committee that a group of legal experts be established to provide advice on the best way to proceed so as to ensure that the original intent of the Charter of the United Nations can be achieved, namely, that United Nations staff and experts on mission would never be effectively exempt from the consequences of criminal acts committed at their duty station, nor unjustly penalized, without due process,[3]

Underlining the importance of a zero-tolerance policy for misconduct and the commission of crimes by United Nations officials and experts on mission,

Recognizing the valuable contribution of United Nations officials and experts on mission towards the fulfilment of the purposes and principles of the Charter,

Reaffirming the need to promote and ensure respect for the principles and rules of international law,

Reaffirming also that the present resolution is without prejudice to the privileges and immunities of United Nations officials and experts on mission and the United Nations under international law,

Reaffirming further the obligation of United Nations officials and experts on mission to respect the national laws of the host State, as well as the right of the host State to exercise, where applicable, its criminal jurisdiction, in accordance with the relevant rules of international law and agreements governing operations of United Nations missions,

Underlining the importance of appropriate training of United Nations officials and experts on mission to prevent any criminal conduct,

Deeply concerned by reports of criminal conduct, and conscious that such conduct, if not investigated and, as appropriate, prosecuted, would create the negative

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[1] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1), part one, chap. III, sect. D, para. 56.

[2] See A/59/710.

[3] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1), part two, chap. II, sect. N, para. 40 (a).

impression that United Nations officials and experts on mission operate with impunity,

Reaffirming the need to ensure that all United Nations officials and experts on mission function in a manner that preserves the image, credibility, impartiality and integrity of the United Nations,

Emphasizing that crimes committed by such persons are unacceptable and have a detrimental effect on the fulfilment of the mandate of the United Nations, in particular with respect to the relations between the United Nations and the local population in the host country,

Conscious of the critical importance of providing expeditious support and protecting the rights of victims of criminal conduct perpetrated by United Nations officials and experts on mission, as well as of ensuring adequate protection for witnesses, and recalling the adoption of its resolution 62/214 of 21 December 2007 on the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel, as well as of its resolution 71/297 of 30 June 2017 on special measures for protection from sexual exploitation and abuse,

Emphasizing that genuine accountability rests on the cooperation of the Member States,

Emphasizing also the need to enhance international cooperation to ensure the criminal accountability of United Nations officials and experts on mission,

Taking note of the report of the High-level Independent Panel on Peace Operations on uniting our strengths for peace: politics, partnership and people,[4] and of the subsequent report of the Secretary-General entitled "The future of United Nations peace operations: implementation of the recommendations of the High-level Independent Panel on Peace Operations",[5]

Taking note also of the report of the Joint Inspection Unit on fraud prevention, detection and response in United Nations system organizations,[6] the Anti-Fraud and Anti-Corruption Framework of the United Nations Secretariat of September 2016[7] and the report of the Secretary-General on his practice in disciplinary matters and cases of possible criminal behaviour for the period from 1 July to 31 December 2017,[8]

Recalling its resolution 61/29 of 4 December 2006, by which it established the Ad Hoc Committee on criminal accountability of United Nations officials and experts on mission,

Having considered at its previous sessions the report of the Group of Legal Experts established by the Secretary-General pursuant to its resolution 59/300[9] and the reports of the Ad Hoc Committee,[10] as well as the note by the Secretariat[11] and the

[4] See A/70/95-S/2015/446.
[5] A/70/357-S/2015/682.
[6] A/71/731.
[7] ST/IC/2016/25, annex.
[8] A/73/71.
[9] A/60/980.
[10] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 54* (A/62/54); and ibid., *Sixty-third Session, Supplement No. 54* (A/63/54).
[11] A/62/329.

reports of the Secretary-General[12] on criminal accountability of United Nations officials and experts on mission,

Recalling its resolutions 62/63 of 6 December 2007, 63/119 of 11 December 2008, 64/110 of 16 December 2009, 65/20 of 6 December 2010, 66/93 of 9 December 2011, 67/88 of 14 December 2012, 68/105 of 16 December 2013, 69/114 of 10 December 2014, 70/114 of 14 December 2015, 71/134 of 13 December 2016 and 72/112 of 7 December 2017,

Noting the oral report of the Chair of the working group of the Sixth Committee on its work during the seventy-third session,

Convinced of the continuing need for the United Nations and its Member States to urgently take strong and effective steps to ensure the criminal accountability of United Nations officials and experts on mission in the interest of justice,

Emphasizing that the development of harmonized United Nations standards of investigation of crimes allegedly committed by United Nations officials and experts on mission can be critical to strengthening the United Nations system of accountability,

1. *Takes note* of the reports of the Secretary-General,[13] in particular annexes I and II to the report submitted pursuant to paragraphs 30 and 31 of its resolution 72/112,[14] which provide additional information on the nature of the allegations and information received from States on all referrals since 1 July 2007 and notifications received from States with respect to investigations or prosecutions of crimes allegedly committed by United Nations officials or experts on mission since 1 July 2016;

2. *Also takes note* of the report of the Secretary-General on special measures for protection from sexual exploitation and abuse,[15] as well as the findings of the Office of Internal Oversight Services of the Secretariat in its evaluation report of 15 May 2015, including on the issue of underreporting;[16]

3. *Welcomes* the commitment of the Secretary-General to refer credible allegations of sexual exploitation and abuse to the Member State of the United Nations officials or experts on mission for appropriate action;

4. *Also welcomes* the work of the Special Coordinator on Improving the United Nations Response to Sexual Exploitation and Abuse, and requests the Secretary-General to regularly update Member States on progress with respect to the implementation of the mandate of the Special Coordinator;

5. *Expresses its concern* with respect to all alleged crimes on the part of United Nations officials and experts on mission, including allegations of fraud, corruption and other financial crimes, and in that regard welcomes the reaffirmation by the Secretary-General that there will be no tolerance for any corruption at the United Nations;

6. *Urges* the Secretary-General to continue to ensure that his zero-tolerance policy for criminal activities, such as sexual exploitation and abuse, fraud and corruption, is made known to all United Nations officials and experts on mission at all levels, especially those in managerial positions, and is fully implemented in a

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[12] A/63/260, A/63/260/Add.1, A/64/183, A/64/183/Add.1, A/65/185, A/66/174, A/66/174/Add.1, A/67/213, A/68/173, A/69/210, A/70/208, A/72/121, A/72/126, A/72/205, A/73/128, A/73/129 and A/73/155.

[13] A/73/128, A/73/129 and A/73/155.

[14] A/73/129.

[15] A/72/751 and A/72/751/Corr.1.

[16] "Evaluation of the enforcement and remedial assistance efforts for sexual exploitation and abuse by the United Nations and related personnel in peacekeeping operations", as reissued on 12 June 2015.

coherent and coordinated manner throughout the United Nations, including funds and programmes, and calls upon all entities in the United Nations to inform and to cooperate fully with the Office of Legal Affairs of the Secretariat in all cases involving allegations that a crime may have been committed by a United Nations official or expert on mission;

7. *Requests* the Secretary-General to ensure greater quality and consistency in investigations by investigative entities of the Organization through the development of harmonized standards of investigation, including verification of allegations and information received;

8. *Expresses its concern* with respect to the low rate of response from States to referred allegations and to requests for information on their provisions addressing the establishment of jurisdiction over crimes, as urged in its resolution 72/112, and in particular expresses its deep concern with regard to the significant number of instances where States to which allegations have been referred have failed to advise the United Nations of any steps taken in response to such referrals, and also with regard to the failure to acknowledge such referrals;

9. *Strongly urges* States to take all appropriate measures to ensure that crimes by United Nations officials and experts on mission do not go unpunished and that the perpetrators of such crimes are brought to justice, without prejudice to the privileges and immunities of such persons and the United Nations under international law, and in accordance with international human rights standards, including due process;

10. *Strongly urges* all States to consider establishing, to the extent that they have not yet done so, jurisdiction over crimes, particularly those of a serious nature, as known in their existing national criminal laws, committed by their nationals while serving as United Nations officials or experts on mission, at least where the conduct as defined in the law of the State establishing jurisdiction also constitutes a crime under the laws of the host State, and, further, urges States and appropriate international organizations to provide technical and other appropriate assistance in developing such legal measures to States requesting such support;

11. *Encourages* all States and the United Nations to cooperate with each other in the exchange of information and in facilitating the conduct of investigations and, as appropriate, the prosecution of United Nations officials and experts on mission who are alleged to have committed crimes of a serious nature, in accordance with their national law and applicable United Nations rules and regulations, fully respecting due process rights, as well as to consider strengthening the capacities of their national authorities to investigate and prosecute such crimes;

12. *Encourages* all States:

(a) To afford each other assistance in connection with criminal investigations or criminal or extradition proceedings in respect of crimes of a serious nature committed by United Nations officials and experts on mission, including assistance in obtaining evidence at their disposal, in accordance with their national law or any treaties or other arrangements on extradition and mutual legal assistance that may exist between them;

(b) In accordance with their national law, to explore ways and means of facilitating the possible use of information and material obtained from the United Nations for purposes of criminal proceedings initiated in their territory for the prosecution of crimes of a serious nature committed by United Nations officials and experts on mission, bearing in mind due process considerations;

(c) In accordance with their national law, to provide effective protection for victims of, witnesses to and others who provide information in relation to crimes of

a serious nature alleged to have been committed by United Nations officials and experts on mission and to facilitate access of victims to victim assistance programmes, without prejudice to the rights of the alleged offender, including those relating to due process;

(d) In accordance with their national law, to explore ways and means of responding adequately to requests by host States for support and assistance in order to enhance their capacity to conduct effective investigations in respect of crimes of a serious nature alleged to have been committed by United Nations officials and experts on mission;

13. *Requests* the Secretariat to continue to ensure that requests to Member States seeking personnel to serve as experts on mission make States aware of the expectation that persons who serve in that capacity should meet high standards in their conduct and behaviour and be aware that certain conduct may amount to a crime for which they may be held accountable, and also requests that the Secretariat take all appropriate measures to continue to ensure that all such personnel, as well as United Nations officials, are properly vetted by the States contributing personnel and by the Organization for any prior misconduct while serving with the United Nations;

14. *Urges* the Secretary-General to make Member States contributing personnel to serve as experts on mission aware of the necessity of providing appropriate conduct-related training prior to deployment, and also urges the Secretary-General to continue to take such practical measures as are within his authority to strengthen existing training on United Nations standards of conduct, including through predeployment and in-mission induction training for United Nations officials and experts on mission;

15. *Reiterates* its decision that, bearing in mind its resolutions 62/63 and 63/119, the consideration of the report of the Group of Legal Experts,[9] in particular its legal aspects, taking into account the views of Member States and also noting the inputs by the Secretariat, shall be continued during its seventy-fifth session in the framework of a working group of the Sixth Committee, and, for that purpose, invites further comments from Member States on that report, including on the question of future action;

16. *Takes note* of the briefings by the Secretariat during the seventieth, seventy-first, seventy-second and seventy-third sessions, and decides to organize another briefing at the seventy-fourth session with a view to furthering discussion on measures that could be taken to help to ensure the accountability of United Nations officials and experts on mission and prevent future crimes;

17. *Recognizes* the efforts of Member States towards devising concrete proposals to ensure the accountability of United Nations officials and experts on mission, and encourages all Member States to redouble their efforts informally during the intersessional period, with the support of the Secretariat, in particular through the organization of informal briefings;

18. *Requests* the Secretary-General to bring credible allegations that reveal that a crime may have been committed by a United Nations official or expert on mission to the attention of the States against whose nationals such allegations are made and to request from those States updates, as set out in paragraph 20 below, on the status of their efforts to investigate and, as appropriate, prosecute crimes of a serious nature, as well as the types of appropriate assistance that States may wish to receive from the Secretariat for the purposes of such investigations and prosecutions;

19. *Also requests* the Secretary-General to seek, from all States that have notified the United Nations with respect to investigations or prosecutions of crimes allegedly committed by United Nations officials or experts on mission, updates on

the status of their investigations or prosecutions, provided that this would not prejudice national investigations or national proceedings;

20. *Urges* the States referred to in paragraphs 18 and 19 above to provide to the Secretary-General periodic updates on their handling of the allegations, in order to demonstrate that Member States are taking steps to ensure accountability for crimes committed by United Nations officials and experts on mission, in particular by informing the Secretary-General of whether any disciplinary or criminal proceedings have been brought and of the outcome of any such proceedings or the reasons for not initiating them, provided that this would not be contrary to national laws or prejudice national investigations or national proceedings, and requests the Secretary-General to continue and undertake the necessary follow-up with the States concerned, by all appropriate forms of communication, with a view to encouraging those States to respond;

21. *Encourages* all States to provide to the Secretary-General a point of contact in order to strengthen and enable efficient communication and cooperation between the United Nations and Member States, and requests the Secretary-General to maintain and update a list of points of contact;

22. *Requests* the United Nations, when its investigations into allegations suggest that crimes of a serious nature may have been committed by United Nations officials or experts on mission, to consider any appropriate measures that may facilitate the possible use of information and material for purposes of criminal proceedings initiated by States, bearing in mind due process considerations;

23. *Encourages* the United Nations, when allegations against United Nations officials or experts on mission are determined by a United Nations administrative investigation to be unfounded, to take appropriate measures, in the interests of the Organization, to restore the credibility and the reputation of such officials and experts on mission;

24. *Urges* the United Nations to continue cooperating with States exercising jurisdiction in order to provide them, within the framework of the relevant rules of international law and agreements governing activities of the United Nations, with information and material for purposes of criminal proceedings initiated by States;

25. *Recalls* the Secretary-General's bulletin on protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations,[17] underlines the importance of a culture in which individuals are encouraged and supported by the Organization to report alleged crimes, emphasizes that the United Nations, in accordance with the applicable rules of the Organization, should take no action that would retaliate against or intimidate United Nations officials and experts on mission who report allegations concerning crimes of a serious nature committed by United Nations officials and experts on mission, and stresses the need for appropriate safeguards against retaliation;

26. *Stresses* the critical importance of ensuring that victims of criminal conduct perpetrated by United Nations officials and experts on mission are made aware of available victim assistance and support, including from a gender perspective, and requests the Secretary-General to report to the Sixth Committee on available victim assistance and support during the briefing at its seventy-fourth session;

27. *Takes note with appreciation* of the information provided by Governments in response to its resolutions 62/63, 63/119, 64/110, 65/20, 66/93, 67/88, 68/105, 69/114, 70/114, 71/134 and 72/112, and urges Governments to continue taking the measures necessary for the implementation of those resolutions, including their

[17] ST/SGB/2017/2/Rev.1.

provisions addressing the establishment of jurisdiction over crimes, particularly those of a serious nature, as known in their existing national criminal laws, committed by their nationals while serving as United Nations officials or experts on mission, as well as cooperation among States, and to provide specific details thereon, in particular with respect to paragraph 10 above, in the information provided to the Secretary-General;

28. *Recalls its request* in resolution 72/112 for Governments to provide specific details on the measures taken, as necessary, for the implementation of its resolutions 62/63, 63/119, 64/110, 65/20, 66/93, 67/88, 68/105, 69/114, 70/114 and 71/134, and notes that, in response to those resolutions, 132 submissions and 16 questionnaire responses were received from 61 Member States between 6 December 2007 and 13 July 2018;

29. *Requests* the Secretary-General to keep up to date the online compilation of the full submissions and questionnaire responses as well as the online summary table of national provisions, based on information received from Member States since 2007, regarding the establishment of jurisdiction over their nationals whenever they serve as United Nations officials or experts on mission, in relation to crimes as known in their existing national criminal laws, particularly those of a serious nature, and also requests the Secretary-General to prepare a report containing a general overview of national provisions, based on the information received, for the seventy-fifth session of the General Assembly, provided that sufficient information has been received from Member States;

30. *Takes note* of the report of the Secretary-General setting out all relevant existing policies and procedures of the United Nations system regarding the allegations referred to in paragraphs 18 and 19 above,[18] and requests the Secretary-General to report on any updates to those policies and procedures and to develop recommendations to help to ensure that such policies and procedures relating to the reporting, investigation, referral and follow-up of credible allegations revealing that a crime may have been committed by a United Nations official or expert on mission are coherent, systematic and coordinated throughout the United Nations system;

31. *Requests* the Secretary-General to report to the General Assembly at its seventy-fourth session on the implementation of the present resolution, in particular with respect to paragraphs 10, 12, 13, 15, 18, 20 and 30 above, as well as any practical problems in its implementation, on the basis of information received from Governments and the Secretariat;

32. *Also requests* the Secretary-General to continue to improve reporting methods and expand the scope of reporting by providing information on the allegations referred to in paragraphs 18 and 19 above, as well as information received pursuant to paragraph 20 since 1 July 2007, limited to the United Nations entity involved, the year of referral, the dates and methods of follow-up requests from the Secretary-General, information about the type of crime and a summary of allegations, the status of investigations, prosecutorial and disciplinary actions taken, including with respect to individuals concerned who have left the duty mission or the service of the United Nations, any requests for waivers of immunity, as applicable, and information on jurisdictional, evidentiary or other obstacles to prosecution, while protecting the privacy of the victims as well as respecting the privacy and rights of those subject to the allegations;

33. *Decides* to include in the provisional agenda of its seventy-fourth session the item entitled "Criminal accountability of United Nations officials and experts on mission".

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[18] A/73/155.

United Nations A/73/550

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Seventy-third session
Agenda item 87

The scope and application of the principle of universal jurisdiction

Report of the Sixth Committee

Rapporteur: Ms. Nadia Alexandra **Kalb** (Austria)

I. Introduction

1. The item entitled "The scope and application of the principle of universal jurisdiction" was included in the provisional agenda of the seventy-third session of the General Assembly pursuant to Assembly resolution 72/120 of 7 December 2017.

2. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 10th to 12th, 33rd and 35th meetings, from 9 to 11 October and on 5 and 13 November 2018. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records.[1]

4. For its consideration of the item, the Committee had before it the reports of the Secretary-General submitted to the General Assembly at its sixty-fifth, sixty-sixth, sixty-seventh, sixty-eighth, sixty-ninth, seventieth, seventy-first, seventy-second and seventy-third sessions (A/65/181, A/66/93, A/66/93/Add.1, A/67/116, A/68/113, A/69/174, A/70/125, A/71/111, A/72/112, A/73/123 and A/73/123/Add.1).

5. At its 1st meeting, on 3 October, the Committee established a working group pursuant to General Assembly resolution 72/120 to continue to undertake a thorough discussion of the scope and application of the principle of universal jurisdiction. In its resolution 72/120, the Assembly decided that the Working Group should be open to all Member States and that relevant observers to the Assembly would be invited to participate in its work. The Working Group held two meetings, on 11 and 17 October.

[1] A/C.6/73/SR.10, A/C.6/73/SR.11, A/C.6/73/SR.12, A/C.6/73/SR.33 and A/C.6/73/SR.35.

18-19273 (E) 191118

Please recycle

6. At its 33rd meeting, on 5 November, the Committee heard and took note of the oral report of the Chair of the Working Group.

II. Consideration of draft resolution A/C.6/73/L.16

7. At the 35th meeting, on 13 November, the representative of the Gambia, on behalf of the Bureau, introduced a draft resolution entitled "The scope and application of the principle of universal jurisdiction" (A/C.6/73/L.16).

8. At the same meeting the Committee adopted draft resolution A/C.6/73/L.16 without a vote (see para. 9).

III. Recommendation of the Sixth Committee

9. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

The scope and application of the principle of universal jurisdiction

The General Assembly,

Reaffirming its commitment to the purposes and principles of the Charter of the United Nations, to international law and to an international order based on the rule of law, which is essential for peaceful coexistence and cooperation among States,

Recalling its resolutions 64/117 of 16 December 2009, 65/33 of 6 December 2010, 66/103 of 9 December 2011, 67/98 of 14 December 2012, 68/117 of 16 December 2013, 69/124 of 10 December 2014, 70/119 of 14 December 2015, 71/149 of 13 December 2016 and 72/120 of 7 December 2017,

Taking into account the comments and observations of Governments and observers and the discussions held in the Sixth Committee at the sixty-fourth to seventy-third sessions of the General Assembly on the scope and application of universal jurisdiction,[1]

Noting the constructive dialogue in the Sixth Committee, including in the context of its working group, recognizing the diversity of views expressed by States, including concerns expressed in relation to the abuse or misuse of the principle of universal jurisdiction, and acknowledging, in order to make progress, the need for continuing discussions on the scope and application of the principle of universal jurisdiction in the Sixth Committee,

Reiterating its commitment to fighting impunity, and noting the views expressed by States that the legitimacy and credibility of the use of universal jurisdiction are best ensured by its responsible and judicious application consistent with international law,

1. *Takes note with appreciation* of the report of the Secretary-General prepared on the basis of comments and observations of Governments and relevant observers;[2]

2. *Decides* that the Sixth Committee shall continue its consideration of the scope and application of universal jurisdiction, without prejudice to the consideration of this topic and related issues in other forums of the United Nations, and for this purpose decides to establish, at its seventy-fourth session, a working group of the Sixth Committee to continue to undertake a thorough discussion of the scope and application of universal jurisdiction;

3. *Invites* Member States and relevant observers to the General Assembly, as appropriate, to submit, before 26 April 2019, information and observations on the

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[1] See A/C.6/64/SR.12, A/C.6/64/SR.13, A/C.6/64/SR.25 and A/C.6/64/SR.1–28/Corrigendum; A/C.6/65/SR.10, A/C.6/65/SR.11, A/C.6/65/SR.12, A/C.6/65/SR.27 and A/C.6/65/SR.28; A/C.6/66/SR.12, A/C.6/66/SR.13, A/C.6/66/SR.17 and A/C.6/66/SR.29; A/C.6/67/SR.12, A/C.6/67/SR.13, A/C.6/67/SR.24 and A/C.6/67/SR.25; A/C.6/68/SR.12, A/C.6/68/SR.13, A/C.6/68/SR.14 and A/C.6/68/SR.23; A/C.6/69/SR.11, A/C.6/69/SR.12 and A/C.6/69/SR.28; A/C.6/70/SR.12, A/C.6/70/SR.13 and A/C.6/70/SR.27; A/C.6/71/SR.13, A/C.6/71/SR.14, A/C.6/71/SR.15 and A/C.6/71/SR.31; A/C.6/72/SR.13, A/C.6/72/SR.14 and A/C.6/72/SR.28; and A/C.6/73/SR.10, A/C.6/73/SR.11, A/C.6/73/SR.12 and A/C.6/73/SR.33.

[2] A/73/123 and A/73/123/Add.1; see also A/65/181, A/66/93, A/66/93/Add.1, A/67/116, A/68/113, A/69/174, A/70/125, A/71/111 and A/72/112.

scope and application of universal jurisdiction, including, where appropriate, information on the relevant applicable international treaties and on their national legal rules and judicial practice, and requests the Secretary-General to prepare and submit to the Assembly at its seventy-fourth session a report based on such information and observations;

4. *Decides* that the working group shall be open to all Member States and that relevant observers will be invited to participate in the work of the working group;

5. *Also decides* to include in the provisional agenda of its seventy-fourth session the item entitled "The scope and application of the principle of universal jurisdiction".

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A/73/551

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Seventy-third session
Agenda item 111

Measures to eliminate international terrorism

Report of the Sixth Committee

Rapporteur: Ms. Nadia Alexandra **Kalb** (Austria)

I. Introduction

1. The item entitled "Measures to eliminate international terrorism" was included in the provisional agenda of the seventy-third session of the General Assembly pursuant to Assembly resolution 72/123 of 7 December 2017.

2. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 1st to 5th, 33rd and 35th meetings, from 3 to 5 October and on 5 and 13 November 2018. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records.[1]

4. For its consideration of the item, the Committee had before it the report of the Secretary-General (A/73/125).

5. At its 1st meeting, on 3 October, the Committee established a working group with a view to finalizing the process on the draft comprehensive convention on international terrorism, as well as discussions on the item included in its agenda by General Assembly resolution 54/110 concerning the question of convening a high-level conference under the auspices of the United Nations. The Working Group was open to all States Members of the United Nations or members of the specialized agencies or of the International Atomic Energy Agency. The Working Group held three meetings, as well as informal consultations, on 16 and 19 October and on 1 November.

[1] A/C.6/73/SR.1, A/C.6/73/SR.2, A/C.6/73/SR.3, A/C.6/73/SR.4, A/C.6/73/SR.5, A/C.6/73/SR.33 and A/C.6/73/SR.35.

18-19292 (E) 201118

Please recycle

6. At its 33rd meeting, on 5 November, the Committee heard and took note of the oral report by the Chair of the Working Group on the work of the Working Group and on the results of the informal consultations held during the current session.

II. Consideration of draft resolution A/C.6/73/L.17

7. At the 35th meeting, on 13 November, the representative of Canada, on behalf of the Bureau, introduced a draft resolution entitled "Measures to eliminate international terrorism" (A/C.6/73/L.17).

8. At the same meeting, the Committee adopted draft resolution A/C.6/73/L.17 without a vote (see para. 9).

III. Recommendation of the Sixth Committee

9. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Measures to eliminate international terrorism

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming, in all its aspects, the United Nations Global Counter-Terrorism Strategy, adopted on 8 September 2006,[1] which enhances the overall framework for the efforts of the international community to effectively counter the scourge of terrorism in all its forms and manifestations, and recalling the first, second, third, fourth, fifth and sixth biennial reviews of the Strategy, on 4 and 5 September 2008, 8 September 2010, 28 and 29 June 2012, 12 and 13 June 2014, 30 June and 1 July 2016, and 26 and 27 June 2018, respectively, and the debates that were held on those occasions,[2]

Recalling its resolutions 62/272 of 5 September 2008, 64/297 of 8 September 2010, 66/282 of 29 June 2012, 68/276 of 13 June 2014, 70/291 of 1 July 2016 and 72/284 of 26 June 2018,

Recalling also its resolution 66/10 of 18 November 2011,

Recalling further the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[3]

Recalling the United Nations Millennium Declaration,[4]

Recalling also the 2005 World Summit Outcome,[5] and reaffirming, in particular, the section on terrorism,

Recalling further the Declaration on Measures to Eliminate International Terrorism, contained in the annex to General Assembly resolution 49/60 of 9 December 1994, and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, contained in the annex to Assembly resolution 51/210 of 17 December 1996,

Recalling all General Assembly resolutions on measures to eliminate international terrorism and Security Council resolutions on threats to international peace and security caused by terrorist acts,

Convinced of the importance of the consideration of measures to eliminate international terrorism by the General Assembly as the universal organ having competence to do so,

Deeply disturbed by the persistence of terrorist acts, which have been carried out worldwide,

Reaffirming its strong condemnation of the heinous acts of terrorism that have caused enormous loss of human life, destruction and damage, including those which

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[1] Resolution 60/288.

[2] See A/62/PV.117, A/62/PV.118, A/62/PV.119, A/62/PV.120, A/64/PV.116, A/64/PV.117, A/66/PV.118, A/66/PV.119, A/66/PV.120, A/68/PV.94, A/68/PV.95, A/68/PV.96, A/68/PV.97, A/70/PV.108, A/70/PV.109, A/70/PV.110, A/72/PV.101, A/72/PV.102 and A/72/PV.103.

[3] Resolution 50/6.

[4] Resolution 55/2.

[5] Resolution 60/1.

prompted the adoption of General Assembly resolution 56/1 of 12 September 2001, as well as Security Council resolutions 1368 (2001) of 12 September 2001, 1373 (2001) of 28 September 2001 and 1377 (2001) of 12 November 2001, and those that have occurred since,

Reaffirming also its strong condemnation of the atrocious and deliberate attacks that have occurred against United Nations offices in various parts of the world,

Affirming that States must ensure that any measure taken to combat terrorism complies with all their obligations under international law and must adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law,

Stressing the need to strengthen further international cooperation among States and among international organizations and agencies, regional and subregional organizations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, in accordance with the principles of the Charter, international law and the relevant international conventions,

Noting the role of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism in monitoring the implementation of that resolution, including the taking of the necessary financial, legal and technical measures by States and the ratification or acceptance of the relevant international conventions and protocols,

Mindful of the need to enhance the role of the United Nations and the relevant specialized agencies in combating international terrorism and of the proposals of the Secretary-General to enhance the role of the Organization in this respect,

Recalling its resolution 71/291 of 15 June 2017, by which it decided to establish the Office of Counter-Terrorism,

Noting the United Nations High-level Conference of Heads of Counter-Terrorism Agencies of Member States, held in New York on 28 and 29 June 2018, the participants of which included representatives of Member States, regional organizations, civil society organizations and the United Nations Global Counter-Terrorism Coordination Compact entities, further noting the intention of the Secretary-General to convene another such conference, and encouraging the Secretary-General to consult Member States in this regard,

Mindful of the essential need to strengthen international, regional and subregional cooperation aimed at enhancing the national capacity of States to prevent and effectively suppress international terrorism in all its forms and manifestations,

Reiterating its call upon States to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there is a comprehensive legal framework covering all aspects of the matter,

Emphasizing that tolerance and dialogue among civilizations and the enhancement of interfaith and intercultural understanding are among the most important elements in promoting cooperation and success in combating terrorism, and welcoming the various initiatives to this end,

Reaffirming that no terrorist act can be justified in any circumstances,

Recalling Security Council resolution 1624 (2005) of 14 September 2005, and bearing in mind that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights, refugee and humanitarian law,

Noting recent developments and initiatives at the international, regional and subregional levels to prevent and suppress international terrorism,

Noting also regional and subregional efforts to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, including through the elaboration of and adherence to regional conventions,

Recalling its decision in resolutions 54/110 of 9 December 1999, 55/158 of 12 December 2000, 56/88 of 12 December 2001, 57/27 of 19 November 2002, 58/81 of 9 December 2003, 59/46 of 2 December 2004, 60/43 of 8 December 2005, 61/40 of 4 December 2006, 62/71 of 6 December 2007, 63/129 of 11 December 2008, 64/118 of 16 December 2009, 65/34 of 6 December 2010, 66/105 of 9 December 2011 and 67/99 of 14 December 2012 that the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 should address, and keep on its agenda, the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations,

Recalling also that, in the Final Document of the Seventeenth Conference of Heads of State or Government of Non-Aligned Countries, adopted on Margarita Island, Bolivarian Republic of Venezuela, on 18 September 2016, the Heads of State or Government reiterated the collective position of the Movement of Non-Aligned Countries on combating international terrorism and reaffirmed its previous initiative calling for an international summit conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations, as well as other relevant initiatives,

Noting the importance of continuing to strive towards achieving a world free of terrorism,

Bearing in mind its resolutions 57/219 of 18 December 2002, 58/187 of 22 December 2003, 59/191 of 20 December 2004, 60/158 of 16 December 2005, 61/171 of 19 December 2006, 62/159 of 18 December 2007, 63/185 of 18 December 2008, 64/168 of 18 December 2009, 65/221 of 21 December 2010, 66/171 of 19 December 2011, 68/178 of 18 December 2013, 70/148 of 17 December 2015 and 72/180 of 19 December 2017,

Having examined the report of the Secretary-General[6] and the oral report of the Chair of the Working Group of the Sixth Committee on its work during the seventy-third session,[7]

1. *Strongly condemns* all acts, methods and practices of terrorism in all its forms and manifestations as criminal and unjustifiable, wherever and by whomsoever committed;

2. *Calls upon* all Member States, the United Nations and other appropriate international, regional and subregional organizations to implement the United Nations Global Counter-Terrorism Strategy,[1] as well as the resolutions relating to the first, second, third, fourth, fifth and sixth biennial reviews of the Strategy,[8] in all its aspects at the international, regional, subregional and national levels without delay, including by mobilizing resources and expertise;

3. *Recalls* the pivotal role of the General Assembly in following up the implementation and the updating of the United Nations Global Counter-Terrorism

[6] A/73/125.

[7] See A/C.6/73/SR.33.

[8] Resolutions 62/272, 64/297, 66/282, 68/276, 70/291 and 72/284.

Strategy, looks forward to the seventh biennial review, in 2020, and in this regard recalls its invitation to the Secretary-General to contribute to the future deliberations of the Assembly, and requests the Secretary-General when doing so to provide information on relevant activities within the Secretariat to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system;

4. *Reiterates* that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them;

5. *Reiterates its call upon* all States to adopt further measures in accordance with the Charter of the United Nations and the relevant provisions of international law, including international standards of human rights, to prevent terrorism and to strengthen international cooperation in combating terrorism and, to that end, to consider, in particular, the implementation of the measures set out in paragraphs 3 (a) to (f) of General Assembly resolution 51/210;

6. *Also reiterates its call upon* all States, with the aim of enhancing the efficient implementation of relevant legal instruments, to intensify, as and where appropriate, the exchange of information on facts related to terrorism and, in so doing, to avoid the dissemination of inaccurate or unverified information;

7. *Reiterates its call upon* States to refrain from financing, encouraging, providing training for or otherwise supporting terrorist activities;

8. *Expresses concern* at the increase in incidents of kidnapping and hostage-taking with demands for ransom and/or political concessions by terrorist groups, and expresses the need to address this issue;

9. *Expresses grave concern* over the acute and growing threat posed by foreign terrorist fighters, namely, individuals who travel to a State other than their States of residence or nationality for the purpose of the perpetration, planning or preparation of, or participation in, terrorist acts or providing or receiving terrorist training, including in connection with armed conflict, emphasizes the need for States to address this issue, including through the implementation of their international obligations, and underlines the importance of United Nations capacity-building and facilitation of capacity-building in accordance with existing mandates to assist States, including those in the most affected regions, upon their request;

10. *Emphasizes* the need for States to cooperate resolutely against international terrorism by taking speedy and effective measures to eliminate this scourge, and in this regard calls upon all States, in accordance with their obligations under applicable international law and the Charter, to deny safe haven and bring to justice or, where appropriate, extradite, on the basis of the principle of extradite or prosecute, the perpetrators of terrorist acts or any person who supports, facilitates or participates or attempts to participate in the financing, planning or preparation of terrorist acts;

11. *Urges* States to ensure that their nationals or other persons and entities within their territory that wilfully provide or collect funds for the benefit of persons or entities who commit, or attempt to commit, facilitate or participate in the commission of terrorist acts are punished by penalties consistent with the grave nature of such acts;

12. *Reminds* States of their obligations under relevant international conventions and protocols, and Security Council resolutions, including Council resolution 1373 (2001), to ensure that perpetrators of terrorist acts are brought to

justice, and recalls the General Assembly resolutions on measures to eliminate international terrorism;

13. *Reaffirms* that international cooperation as well as actions by States to combat terrorism should be conducted in conformity with the principles of the Charter, international law and relevant international conventions;

14. *Recalls* the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism,[9] the Amendment to the Convention on the Physical Protection of Nuclear Material,[10] the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation[11] and the Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf,[12] and urges all States to consider, as a matter of priority, becoming parties to these instruments;

15. *Urges* all States that have not yet done so to consider, as a matter of priority and in accordance with Security Council resolution 1373 (2001) and Council resolution 1566 (2004) of 8 October 2004, becoming parties to the relevant conventions and protocols as referred to in paragraph 6 of General Assembly resolution 51/210, as well as the International Convention for the Suppression of Terrorist Bombings,[13] the International Convention for the Suppression of the Financing of Terrorism,[14] the International Convention for the Suppression of Acts of Nuclear Terrorism and the Amendment to the Convention on the Physical Protection of Nuclear Material, and calls upon all States to enact, as appropriate, the national legislation necessary to implement the provisions of those conventions and protocols, to ensure that the jurisdiction of their courts enables them to bring to trial the perpetrators of terrorist acts and to cooperate with and provide support and assistance to other States and relevant international, regional and subregional organizations to that end;

16. *Urges* States to cooperate with the Secretary-General and with one another, as well as with interested intergovernmental organizations, with a view to ensuring, where appropriate within existing mandates, that technical and other expert advice is provided to those States requiring and requesting assistance in becoming parties to and implementing the conventions and protocols referred to in paragraph 15 above;

17. *Notes with appreciation and satisfaction* that, consistent with the call contained in paragraphs 14 and 15 of General Assembly resolution 72/123 of 7 December 2017, a number of States became parties to the relevant conventions and protocols referred to therein, thereby realizing the objective of wider acceptance and implementation of those conventions;

18. *Reaffirms* the Declaration on Measures to Eliminate International Terrorism, contained in the annex to General Assembly resolution 49/60, and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate

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[9] United Nations, *Treaty Series*, vol. 2445, No. 44004.

[10] Adopted on 8 July 2005 by the Conference to Consider and Adopt Proposed Amendments to the Convention on the Physical Protection of Nuclear Material (International Atomic Energy Agency, document GOV/INF/2005/10-GC(49)/INF/6, attachment).

[11] Adopted on 14 October 2005 by the Diplomatic Conference on the Revision of the SUA Treaties (International Maritime Organization, document LEG/CONF.15/21).

[12] Adopted on 14 October 2005 by the Diplomatic Conference on the Revision of the SUA Treaties (International Maritime Organization, document LEG/CONF.15/22).

[13] United Nations, *Treaty Series*, vol. 2149, No. 37517.

[14] Ibid., vol. 2178, No. 38349.

International Terrorism, contained in the annex to Assembly resolution 51/210, and calls upon all States to implement them;

19. *Calls upon* all States to cooperate to prevent and suppress terrorist acts;

20. *Urges* all States and the Secretary-General, in their efforts to prevent international terrorism, to make the best use of the existing institutions of the United Nations;

21. *Notes* that the United Nations Counter-Terrorism Centre is performing its duties within the Office of Counter-Terrorism and that the Centre is supporting the implementation of the United Nations Global Counter-Terrorism Strategy, and encourages all Member States to collaborate with the Centre and to contribute to the implementation of its activities within the Office;

22. *Requests* the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime in Vienna to continue its efforts to enhance, through its mandate, the capabilities of the United Nations in the prevention of terrorism, and recognizes, in the context of the United Nations Global Counter-Terrorism Strategy and Security Council resolution 1373 (2001), its role in assisting States in becoming parties to and implementing the relevant international conventions and protocols relating to terrorism, including the most recent among them, and in strengthening international cooperation mechanisms in criminal matters related to terrorism, including through national capacity-building;

23. *Invites* regional intergovernmental organizations to submit to the Secretary-General information on the measures they have adopted at the regional level to eliminate international terrorism, as well as on intergovernmental meetings held by those organizations;

24. *Decides* to recommend that the Sixth Committee, at the seventy-fourth session of the General Assembly, establish a working group with a view to finalizing the process on the draft comprehensive convention on international terrorism as well as discussions on the item included in its agenda by Assembly resolution 54/110 concerning the question of convening a high-level conference under the auspices of the United Nations;

25. *Recognizes* the valuable dialogue and efforts of Member States towards resolving any outstanding issues, and encourages all Member States to redouble their efforts during the intersessional period;

26. *Decides* to include in the provisional agenda of its seventy-fourth session the item entitled "Measures to eliminate international terrorism".

United Nations A/73/552

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Agenda item 167

Report of the Committee on Relations with the Host Country

Report of the Sixth Committee

Rapporteur: Ms. Nadia Alexandra **Kalb** (Austria)

I. Introduction

1. The item entitled "Report of the Committee on Relations with the Host Country" was included in the provisional agenda of the seventy-third session of the General Assembly pursuant to Assembly resolution 72/124 of 7 December 2017.

2. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 32nd and 35th meetings, on 2 and 13 November 2018. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records.[1]

4. For its consideration of the item, the Committee had before it the report of the Committee on Relations with the Host Country (A/73/26).

5. At the 32nd meeting, on 2 November, the Chair of the Committee on Relations with the Host Country introduced the report of that Committee.

II. Consideration of draft resolution A/C.6/73/L.18

6. At the 35th meeting, on 13 November, the representative of Cyprus, on behalf of Bulgaria, Canada, Costa Rica, Côte d'Ivoire and Cyprus, introduced a draft resolution entitled "Report of the Committee on Relations with the Host Country" (A/C.6/73/L.18).

7. At the same meeting, the Committee adopted draft resolution A/C.6/73/L.18 without a vote (see para. 9).

8. After the adoption of the draft resolution, the representatives of the Russian Federation and the Syrian Arab Republic made statements in explanation of position. The representative of the United States of America made a statement.

[1] A/C.6/73/SR.32 and A/C.6/73/SR.35.

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III. Recommendation of the Sixth Committee

9. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,[1]

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations,[2] the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations[3] and the responsibilities of the host country,

Recalling also that, in accordance with paragraph 7 of General Assembly resolution 2819 (XXVI) of 15 December 1971, the Committee should consider, and advise the host country on, issues arising in connection with the implementation of the Headquarters Agreement,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

1. *Endorses* the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 111 of its report;[1]

2. *Considers* that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations and the observance of their privileges and immunities, which cannot be subject to any restrictions arising from the bilateral relations of the host country, are in the interest of the United Nations and all Member States, takes seriously the recent concerns raised by permanent missions regarding the normal performance of their functions, requests the host country to continue to solve, through negotiations, problems that might arise and to take all measures necessary to prevent any interference with the functioning of missions, and urges the host country to continue to take appropriate action, such as the training of police, security, customs and border control officers, with a view to maintaining respect for diplomatic privileges and immunities and, if violations occur, to ensure that such cases are properly investigated and remedied, in accordance with applicable law;

3. *Recalls* the privileges and immunities applicable to the premises of the permanent missions to the United Nations enjoyed under international law, in particular the instruments listed in paragraph 111 (a) of the report of the Committee on Relations with the Host Country, and the obligations of the host country to observe such privileges and immunities, takes note of the alleged ongoing violations thereof by the host country and of the concerns expressed thereon, urges the host country to remove without delay any restrictions applied to the premises of a Permanent Mission inconsistent with those privileges and immunities, and in that regard to ensure respect for such privileges and immunities, takes seriously the lack of resolution of these matters and the concerns expressed about such lack of resolution, remains seized of

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[1] *Official Records of the General Assembly, Seventy-third Session, Supplement No. 26* (A/73/26).

[2] Resolution 22 A (I).

[3] See resolution 169 (II).

these matters, and anticipates that they shall be duly addressed in a spirit of cooperation and in accordance with international law;

4. *Also recalls* that, prior to the institution by the host country of any proceedings that require any person referred to in article IV, section 11, of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,[1] including representatives of a Member State, to leave the host country, article IV, section 13 (b) (1) of the Headquarters Agreement, inter alia, requires the host country to consult with the Member State, the Secretary-General or other principal executive officer, as appropriate, and considers that, given the seriousness of any such measure being exercised by the host country, the consultation should be meaningful;

5. *Notes* the problems experienced by some permanent missions to the United Nations in connection with the implementation of the Parking Programme for Diplomatic Vehicles,[4] and notes that the Committee shall remain seized of the matter with a view to continuing to maintain the proper implementation of the Parking Programme in a manner that is fair, non-discriminatory, effective and therefore consistent with international law;

6. *Requests again* the host country to consider removing the remaining travel restrictions imposed by it on staff of certain missions and staff members of the Secretariat of certain nationalities, and in this regard takes seriously recent concerns and notes the long-standing positions of affected States, of the Secretary-General and of the host country;

7. *Recalls* article IV of the Headquarters Agreement, and notes the concerns expressed by some delegations concerning the denial and delay of entry visas to representatives of Member States;

8. *Notes* that the Committee anticipates that the host country will continue to enhance its efforts to ensure the issuance of entry visas to representatives of Member States and members of the Secretariat pursuant to article IV, section 11, of the Headquarters Agreement and, in a timely manner, to enable persons assigned as members of permanent missions or recruited to serve in the Secretariat to take up their assignments as promptly as possible and to enable representatives of Member States to travel to New York on United Nations business, and that the Committee anticipates that the host country will continue to enhance efforts, including visa issuance, to facilitate the participation of representatives of Member States in other United Nations meetings, as appropriate;

9. *Also notes* that a number of delegations have requested shortening the time frame applied by the host country for issuance of entry visas to representatives of Member States since the time frame poses difficulties for the full-fledged participation of Member States in United Nations meetings, and invites the host country to inform the Committee, as appropriate, of efforts to address such difficulties;

10. *Notes with concern* the difficulties experienced by some permanent missions to the United Nations in obtaining suitable banking services, and welcomes the continued efforts of the host country to facilitate the opening of bank accounts for those permanent missions;

11. *Stresses* the need for the permanent missions and the United Nations to benefit from appropriate banking services, and anticipates that the host country will continue to assist the permanent missions accredited to the United Nations and their staff in obtaining such services;

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[4] A/AC.154/355, annex.

12. *Expresses its appreciation* for the efforts made by the host country, and expects that the issues raised at the meetings of the Committee will be resolved in a spirit of cooperation and in accordance with international law, including the Headquarters Agreement;

13. *Affirms* the importance of the Committee being in a position to fulfil its mandate and meet on short notice to deal with urgent and important matters concerning the relations between the United Nations and the host country, and in that connection requests the Secretariat and the Committee on Conferences to accord priority to requests from the Committee on Relations with the Host Country for conference-servicing facilities for meetings of that Committee that must be held while the General Assembly and its Main Committees are meeting, without prejudice to the requirements of those bodies and on an "as available" basis;

14. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country and to actively engage in the work of the Committee with a view to ensuring the representation of the interests concerned, in accordance with General Assembly resolution 2819 (XXVI), and recalls that the Secretary-General may bring to the attention of the Committee issues of mutual concern relating to the implementation of the Headquarters Agreement and the Convention on the Privileges and Immunities of the United Nations;[2]

15. *Requests* the Committee to continue its work in conformity with General Assembly resolution 2819 (XXVI) and, in this framework, to continue to consider additional appropriate measures to enhance the work of the Committee and its effectiveness;

16. *Decides* to include in the provisional agenda of its seventy-fourth session the item entitled "Report of the Committee on Relations with the Host Country".

United Nations A/73/553

General Assembly

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14 November 2018

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Seventy-third session
Agenda item 86

The rule of law at the national and international levels

Report of the Sixth Committee

Rapporteur: Ms. Nadia Alexandra **Kalb** (Austria)

I. Introduction

1. The item entitled "The rule of law at the national and international levels" was included in the provisional agenda of the seventy-third session of the General Assembly pursuant to Assembly resolution 72/119 of 7 December 2017.

2. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 7th to 10th and 35th meetings, on 8 and 9 October and on 13 November 2018. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records.[1]

4. For its consideration of the item, the Committee had before it the report of the Secretary-General on strengthening and coordinating United Nations rule of law activities (A/73/253).

II. Consideration of draft resolution A/C.6/73/L.19

5. At the 35th meeting, on 13 November, the representative of Mexico, on behalf of the Bureau, introduced a draft resolution entitled "The rule of law at the national and international levels" (A/C.6/73/L.19).

6. At the same meeting, the Committee adopted draft resolution A/C.6/73/L.19 without a vote (see para. 8).

7. After the adoption of the draft resolution, the representative of the Syrian Arab Republic made a statement in explanation of position.

[1] A/C.6/73/SR.7, A/C.6/73/SR.8, A/C.6/73/SR.9, A/C.6/73/SR.10 and A/C.6/73/SR.35.

Please recycle

III. Recommendation of the Sixth Committee

8. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

The rule of law at the national and international levels

The General Assembly,

Recalling its resolution 72/119 of 7 December 2017,

Reaffirming its commitment to the purposes and principles of the Charter of the United Nations and international law, which are indispensable foundations of a more peaceful, prosperous and just world, and reiterating its determination to foster strict respect for them and to establish a just and lasting peace all over the world,

Reaffirming that human rights, the rule of law and democracy are interlinked and mutually reinforcing and that they belong to the universal and indivisible core values and principles of the United Nations,

Reaffirming also the need for universal adherence to and implementation of the rule of law at both the national and international levels and its solemn commitment to an international order based on the rule of law and international law, which, together with the principles of justice, is essential for peaceful coexistence and cooperation among States,

Bearing in mind that the activities of the United Nations carried out in support of efforts of Governments to promote and consolidate the rule of law are undertaken in accordance with the Charter, and stressing the need to strengthen support to Member States, upon their request, in the domestic implementation of their respective international obligations through enhanced technical assistance and capacity-building,

Convinced that the advancement of the rule of law at the national and international levels is essential for the realization of sustained economic growth, sustainable development, the eradication of poverty and hunger and the protection of all human rights and fundamental freedoms, and acknowledging that collective security depends on effective cooperation, in accordance with the Charter and international law, against transnational threats,

Reaffirming the duty of all States to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes and principles of the United Nations and to settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered, in accordance with Chapter VI of the Charter, and calling upon States that have not yet done so to consider accepting the jurisdiction of the International Court of Justice in accordance with its Statute,

Convinced that the promotion of and respect for the rule of law at the national and international levels, as well as justice and good governance, should guide the activities of the United Nations and its Member States,

Recalling paragraph 134 (e) of the 2005 World Summit Outcome,[1]

1. *Recalls* the high-level meeting of the General Assembly on the rule of law at the national and international levels, held during the high-level segment of its sixty-

[1] Resolution 60/1.

seventh session, and the declaration adopted at that meeting,[2] takes note of the report of the Secretary-General submitted pursuant to paragraph 41 of the declaration,[3] and requests the Sixth Committee to continue its consideration of ways and means of further developing the linkages between the rule of law and the three pillars of the United Nations;

2. *Acknowledges* the efforts to strengthen the rule of law through voluntary pledges, encourages all States to consider making pledges, individually or jointly, based on their national priorities, and also encourages those States that have made pledges to continue to exchange information, knowledge and best practices in this regard;

3. *Takes note* of the annual report of the Secretary-General on strengthening and coordinating United Nations rule of law activities;[4]

4. *Encourages* the Secretary-General and the United Nations system to accord high priority to rule of law activities;

5. *Reaffirms* the role of the General Assembly in encouraging the progressive development of international law and its codification, and further reaffirms that States shall abide by all of their obligations under international law;

6. *Also reaffirms* the imperative of upholding and promoting the rule of law at the international level in accordance with the principles of the Charter of the United Nations;

7. *Further reaffirms* its commitment to working tirelessly for the full implementation of the 2030 Agenda for Sustainable Development,[5] and recalls that the goals and targets are integrated and indivisible and balance the three dimensions of sustainable development;

8. *Recognizes* the role of multilateral and bilateral treaties and treaty processes in advancing the rule of law, and encourages States to further consider the promotion of treaties in areas where international cooperation could benefit from treaties;

9. *Welcomes* the dialogue initiated by the Rule of Law Coordination and Resource Group and the Rule of Law Unit in the Executive Office of the Secretary-General with Member States on the topic "Promoting the rule of law at the international level", and calls for the continuation of this dialogue with a view to fostering the rule of law at the international level;

10. *Recognizes* the importance of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law to the furtherance of United Nations rule of law programmes and activities, emphasizes that further technical assistance and capacity-building initiatives, focused on increasing and improving the participation of Member States in the multilateral treaty process, should be examined, and invites States to support these activities;

11. *Stresses* the importance of adherence to the rule of law at the national level and the need to strengthen support to Member States, upon their request, in the domestic implementation of their respective international obligations through enhanced technical assistance and capacity-building in order to develop, reinforce and maintain domestic institutions active in the promotion of rule of law at the

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[2] Resolution 67/1.

[3] A/68/213/Add.1.

[4] A/73/253.

[5] Resolution 70/1.

national and international levels, subject to national ownership, strategies and priorities;

12. *Reiterates its request* to the Secretary-General to ensure greater coordination and coherence among the United Nations entities and with donors and recipients, and reiterates its call for greater evaluation of the effectiveness of such activities, including possible measures to improve the effectiveness of those capacity-building activities;

13. *Calls*, in this context, for dialogue to be enhanced among all stakeholders, with a view to placing national perspectives at the centre of rule of law assistance in order to strengthen national ownership, while recognizing that rule of law activities must be anchored in a national context and that States have different national experiences in the development of their systems of the rule of law, taking into account their legal, political, socioeconomic, cultural, religious and other local specificities, while also recognizing that there are common features founded on international norms and standards;

14. *Calls upon* the Secretary-General and the United Nations system to systematically address, as appropriate, aspects of the rule of law in relevant activities, including the participation of women in rule of law-related activities, recognizing the importance of the rule of law to virtually all areas of United Nations engagement;

15. *Expresses full support* for the overall coordination and coherence role of the Rule of Law Coordination and Resource Group within the United Nations system, within existing mandates, supported by the Rule of Law Unit and under the leadership of the Deputy Secretary-General;

16. *Requests* the Secretary-General to submit, in a timely manner, his next annual report on United Nations rule of law activities, in accordance with paragraph 5 of its resolution 63/128 of 11 December 2008, addressing, in a balanced manner, the national and international dimensions of the rule of law;

17. *Recognizes* the importance of restoring confidence in the rule of law as a key element of transitional justice;

18. *Recalls* the commitment of Member States to take all necessary steps to provide fair, transparent, effective, non-discriminatory and accountable services that promote access to justice for all, including legal aid, encourages further dialogue and the sharing of national practices and expertise in strengthening the rule of law through access to justice, including with regard to the provision of birth registration for all, appropriate registration and documentation of refugees, migrants, asylum seekers and stateless persons, and legal aid, where appropriate, in both criminal and civil proceedings, and in this regard recognizes the role of knowledge and technology, including in judicial systems, and stresses the need to intensify the assistance extended to Governments upon their request;

19. *Stresses* the importance of promoting the sharing of national practices and of inclusive dialogue, welcomes the proposals made by the Secretary-General, inviting Member States to voluntarily exchange national best practices on the rule of law in informal meetings and on an electronic depository of best practices on the United Nations rule of law website, and invites Member States to do so;

20. *Invites* the International Court of Justice, the United Nations Commission on International Trade Law and the International Law Commission to continue to comment, in their respective reports to the General Assembly, on their current roles in promoting the rule of law;

21. *Invites* the Rule of Law Coordination and Resource Group and the Rule of Law Unit to continue their dialogue with all Member States by interacting with them in a regular, transparent and inclusive manner, in particular in informal briefings;

22. *Stresses* the need for the Rule of Law Unit to carry out its tasks in an effective and sustainable manner and the need to provide it with reasonable means required to that effect;

23. *Decides* to include in the provisional agenda of its seventy-fourth session the item entitled "The rule of law at the national and international levels", and invites Member States to focus their comments during the upcoming Sixth Committee debate on the subtopic "Sharing best practices and ideas to promote the respect of States for international law".

United Nations A/73/554

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Seventy-third session
Agenda item 84

Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

Report of the Sixth Committee

Rapporteur: Ms. Nadia Alexandra **Kalb** (Austria)

I. Introduction

1. The item entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives" was included in the provisional agenda of the seventy-third session of the General Assembly pursuant to Assembly resolution 71/145 of 13 December 2016.

2. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 17th, 18th and 35th meetings, on 18 and 19 October and on 13 November 2018. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records.[1]

4. For its consideration of the item, the Committee had before it the report of the Secretary-General (A/73/189).

II. Consideration of draft resolution A/C.6/73/L.20

5. At the 35th meeting, on 13 November, the representative of Finland, on behalf of Austria, Canada, the Central African Republic, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Gabon, Germany, Greece, Iceland, Ireland, Italy, Japan, Lithuania, Luxembourg, Malta, New Zealand, Norway, the Republic of Moldova, Slovakia, Spain, Sweden and Uruguay, subsequently joined by Australia,

[1] A/C.6/73/SR.17, A/C.6/73/SR.18 and A/C.6/73/SR.35.

18-19281 (E) 201118

Please recycle

Belgium, Bosnia and Herzegovina, Latvia, Liechtenstein, Montenegro, the Netherlands, Poland, Switzerland and the former Yugoslav Republic of Macedonia, introduced a draft resolution entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives" (A/C.6/73/L.20).

6. At the same meeting, the Committee adopted draft resolution A/C.6/73/L.20 without a vote (see para. 7).

III. Recommendation of the Sixth Committee

7. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

The General Assembly,

Having considered the report of the Secretary-General,[1]

Conscious of the need to develop and strengthen friendly relations and cooperation among States,

Convinced that respect for the principles and rules of international law governing diplomatic and consular relations, including those derived from the principle of sovereign equality of States, is a basic prerequisite for the normal conduct of relations among States and for the fulfilment of the purposes and principles of the Charter of the United Nations,

Alarmed by the new and recurring acts of violence against diplomatic and consular representatives, as well as against representatives to international intergovernmental organizations and officials of such organizations, which endanger or take innocent lives and seriously impede the normal work of such representatives and officials,

Expressing sympathy for the victims of such illegal acts,

Recalling that, to the extent provided by the relevant rules of international law, premises of diplomatic missions, consular premises and premises of permanent missions with diplomatic status to international intergovernmental organizations, as well as private residences of relevant members of diplomatic missions and representatives to international intergovernmental organizations, shall be inviolable and that, to the extent consistent with the relevant rules of international law, agents of the receiving State shall not enter them, except with the consent of the sending State,

Noting that diplomatic and consular missions may maintain archives and documents in various forms, that official correspondence may take a variety of forms and that diplomatic and consular missions may use a variety of means of communication,

Recalling that the archives and documents of diplomatic and consular missions shall be inviolable at any time and wherever they may be and that the official correspondence of diplomatic and consular missions shall be inviolable,

Recalling also that States shall permit and protect free communication of diplomatic and consular missions for all official purposes and that diplomatic and consular missions may employ all appropriate means in communicating with their Governments and other diplomatic and consular missions of their State, wherever situated,

Concerned at the failure to respect the inviolability of diplomatic and consular missions and representatives and, as appropriate, their family members, as well as of

[1] A/73/189.

permanent missions and, as appropriate, relevant representatives to international intergovernmental organizations and their family members,

Recalling that, without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State,

Recalling also that diplomatic and consular premises must not be used in any manner incompatible with the functions of diplomatic and consular missions,

Emphasizing the duty of States to take all appropriate measures, as required by international law, in a timely manner, for the protection of diplomatic and consular missions and representatives as well as missions and representatives to international intergovernmental organizations and officials of such organizations, including measures of a preventive nature, and to bring offenders to justice,

Welcoming measures already taken by States to this end in conformity with their international obligations,

Convinced that the role of the United Nations, which includes the reporting procedures established pursuant to General Assembly resolution 35/168 of 15 December 1980 and further elaborated in subsequent Assembly resolutions, is important in promoting efforts to enhance the protection, security and safety of diplomatic and consular missions and representatives,

1. *Welcomes* the report of the Secretary-General;[1]

2. *Strongly condemns* all acts of violence against diplomatic and consular missions and representatives, as well as against missions and representatives to international intergovernmental organizations and officials of such organizations, and emphasizes that such acts can never be justified;

3. *Urges* States to strictly observe, implement and enforce, including during a period of armed conflict, all the applicable principles and rules of international law governing diplomatic and consular relations, including those relating to inviolability, and, in particular, to ensure, in conformity with their international obligations, the protection, security and safety of the missions, representatives and officials mentioned in paragraph 2 above officially present in territories under their jurisdiction, including practical measures to prevent and prohibit in their territories illegal activities of persons, groups and organizations that encourage, instigate, organize or engage in the perpetration of acts against the security and safety of such missions, representatives and officials;

4. *Also urges* States to take all appropriate measures at the national and international levels to prevent any acts of violence against the missions, representatives and officials mentioned in paragraph 2 above, including during a period of armed conflict, and to ensure, with the participation of the United Nations where appropriate, that such acts are fully investigated with a view to bringing offenders to justice;

5. *Recommends* that States cooperate closely through, *inter alia*, contacts between the diplomatic and consular missions and the receiving State with regard to practical measures designed to enhance the protection, security and safety of diplomatic and consular missions and representatives, including measures of a preventive nature, and with regard to the timely exchange of information on the circumstances of all serious violations thereof;

6. *Urges* States to strictly comply with the applicable rules of international law governing the protection and inviolability of premises of diplomatic missions,

consular premises and premises of permanent missions with diplomatic status to international intergovernmental organizations;

7. *Also urges* States to take all appropriate measures, in accordance with international law, at the national and international levels, to prevent any abuse of diplomatic or consular privileges and immunities, in particular serious abuses, including those involving acts of violence;

8. *Recommends* that States cooperate closely with the State in whose territory abuses of diplomatic and consular privileges and immunities may have occurred, including by exchanging information and providing assistance to its judicial authorities in order to bring offenders to justice;

9. *Calls upon* States that have not yet done so to consider becoming parties to the instruments relevant to the protection, security and safety of diplomatic and consular missions and representatives;

10. *Calls upon* States, in cases where a dispute arises in connection with a violation of their international obligations concerning the protection of the missions, their archives and premises or the security of the representatives and officials mentioned in paragraph 2 above, to make use of the means available for peaceful settlement of disputes, including the good offices of the Secretary-General, and requests the Secretary-General, when he deems it appropriate, to offer his good offices to the States directly concerned;

11. *Urges*:

(a) All States to report to the Secretary-General, in a concise and expeditious manner and in accordance with the guidelines prepared by the Secretary-General, serious violations of the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international intergovernmental organizations;

(b) The State in which the violation took place — and, to the extent possible, the State where the alleged offender is present — to report to the Secretary-General,[2] in a concise and expeditious manner and in accordance with the guidelines prepared by the Secretary-General, on measures taken to bring the offender to justice and to communicate, in accordance with its laws, the final outcome of the proceedings against the offender, and to report on measures adopted with a view to preventing a repetition of such violations;

12. *Requests* the Secretary-General:

(a) To send, without delay, a circular note to all States reminding them of the request contained in paragraph 11 above;

(b) To circulate to all States, upon receipt, the reports received by him pursuant to paragraph 11 above, unless the reporting State requests otherwise;

(c) To draw the attention, when appropriate, of the States directly concerned to the reporting procedures provided for in paragraph 11 above, when a serious violation has been reported pursuant to paragraph 11 (a) above;

(d) To address reminders to States where such violations have occurred if reports pursuant to paragraph 11 (a) above or follow-up reports pursuant to paragraph 11 (b) above have not been made within a reasonable period of time;

13. *Also requests* the Secretary-General to invite States, in the circular note referred to in paragraph 12 (a) above, to inform him of their views with respect to any

[2] A/42/485, annex.

measures needed or already taken to enhance the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international intergovernmental organizations;

14. *Further requests* the Secretary-General to submit to the General Assembly at its seventy-fifth session a report containing:

(a) Information on the state of ratification of and accessions to the instruments referred to in paragraph 9 above;

(b) A summary of the reports received and views expressed pursuant to paragraphs 11 and 13 above;

15. *Invites* the Secretary-General to include in his report to the General Assembly any views he may wish to express on the matters referred to in paragraph 14 above;

16. *Decides* to include in the provisional agenda of its seventy-fifth session the item entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives".

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Agenda item 83

Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

Report of the Sixth Committee

Rapporteur: Ms. Nadia Alexandra **Kalb** (Austria)

I. Introduction

1. The item entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts" was included in the provisional agenda of the seventy-third session of the General Assembly in accordance with Assembly resolution 71/144 of 13 December 2016.

2. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 16th, 17th and 35th meetings, on 17 and 18 October and on 13 November 2018. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records.[1]

4. For its consideration of the item, the Committee had before it the report of the Secretary-General (A/73/277).

II. Consideration of draft resolution A/C.6/73/L.21

5. At the 35th meeting, on 13 November, the representative of Sweden, on behalf of Argentina, Austria, Belarus, Belgium, Canada, the Central African Republic, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mauritius, Monaco, Norway, Peru, Poland, Portugal, the Republic of Moldova, Romania, Saint Vincent and the Grenadines, Serbia, Slovakia, Spain, Sweden,

[1] A/C.6/73/SR.16, A/C.6/73/SR.17 and A/C.6/73/SR.35.

18-19279 (E) 201118

Please recycle

Switzerland, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Uruguay, subsequently joined by Australia, Bosnia and Herzegovina, Bulgaria, Costa Rica, Croatia, Fiji, Georgia, Lebanon, Montenegro, the Netherlands, New Zealand, the Republic of Korea, San Marino and the former Yugoslav Republic of Macedonia, introduced a draft resolution entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts" (A/C.6/73/L.21).

6. At the same meeting, the Committee adopted draft resolution A/C.6/73/L.21 without a vote (see para. 8).

7. Before the adoption of the draft resolution, the representatives of the Sudan and Togo made statements in explanation of position; after the adoption of the draft resolution, the representative of the United States of America made a statement in explanation of position.

III. Recommendation of the Sixth Committee

8. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

The General Assembly,

Recalling its biennial resolutions on the status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts, including its resolution 71/144 of 13 December 2016,

Having considered the report of the Secretary-General[1],

Reaffirming the continuing value of established humanitarian rules relating to armed conflicts and the need to respect and ensure respect for those rules in all circumstances within the scope of the relevant international instruments, pending the earliest possible termination of such conflicts,

Stressing the need to consolidate the existing body of international humanitarian law through its universal acceptance and the need for wide dissemination and full implementation of such law at the national level, and expressing concern about all violations of the Geneva Conventions of 1949[2] and the Additional Protocols,[3]

Calling upon Member States to disseminate knowledge of international humanitarian law as widely as possible, and calling upon all parties to armed conflict to apply international humanitarian law,

Noting with satisfaction the increasing number of national commissions and other bodies involved in advising authorities at the national level on the implementation, dissemination and development of international humanitarian law,

Noting with appreciation the meetings of representatives of those bodies organized by the International Committee of the Red Cross, together with relevant partners such as national Red Cross and Red Crescent societies, to facilitate the sharing of concrete experience and the exchange of views on their roles and on the challenges they face,

Stressing the possibility of making use of the International Humanitarian Fact-Finding Commission in relation to an armed conflict, pursuant to article 90 of Protocol I[4] to the Geneva Conventions,

Stressing also the possibility for the International Humanitarian Fact-Finding Commission to facilitate, through its good offices, the restoration of an attitude of respect for the Geneva Conventions and Protocol I,

Taking note of the fact that the International Humanitarian Fact-Finding Commission conducted its first operational mission in 2017,

Taking note also of the fact that, in paragraphs 8 and 9 of its resolution 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict, the Security Council noted the range of existing methods used, on a case-by-case basis, for gathering information on alleged violations of applicable international law

[1] A/73/277.
[2] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.
[3] Ibid., vol. 1125, Nos. 17512 and 17513, and vol. 2404, No. 43425.
[4] Ibid., vol. 1125, No. 17512.

relating to the protection of civilians, underlined the importance in that regard of receiving information that is timely, objective, accurate and reliable, and considered the possibility, to that end, of using the International Humanitarian Fact-Finding Commission established by article 90 of Protocol I,

Noting with appreciation the role of the International Committee of the Red Cross in facilitating and offering protection to the victims of armed conflicts,

Noting with appreciation also the continuing efforts of the International Committee of the Red Cross to promote and disseminate knowledge of international humanitarian law, in particular the Geneva Conventions and the Additional Protocols,

Noting the special responsibilities of national Red Cross and Red Crescent societies, as auxiliaries to the public authorities of their respective States in the humanitarian field, to cooperate with and assist their Governments in the promotion, dissemination and implementation of international humanitarian law,

Welcoming the universal acceptance of the Geneva Conventions of 1949,

Emphasizing the fundamentally non-discriminatory character of international humanitarian law, including as reflected in the preamble to the 1977 Additional Protocol I to the 1949 Geneva Conventions of 12 August 1949, relating to the Protection of Victims of International Armed Conflicts, which, inter alia, reaffirms that the provisions of the Geneva Conventions of 12 August 1949 and of Additional Protocol I must be fully applied in all circumstances to all persons who are protected by those instruments, without any adverse distinction based on the origin of the armed conflict or on the causes espoused by or attributed to the parties to the conflict,

Recalling the imperative need to improve compliance with international humanitarian law, recognized by all States at the thirty-second International Conference of the Red Cross and Red Crescent, held in Geneva from 8 to 10 December 2015,

Welcoming the continued engagement of States in the intergovernmental process, and recalling its State-driven and consensus-based character, aimed at finding ways to enhance the implementation of international humanitarian law,

Noting the close cooperation between the International Committee of the Red Cross and States to further strengthen international humanitarian law protecting persons deprived of their liberty in relation to armed conflict,

Welcoming efforts by States to implement their obligations under international humanitarian law, as well as programmes and other measures of States and their armed forces that promote or ensure compliance with international humanitarian law,

Noting the work undertaken by States and by the International Committee of the Red Cross in relation to sexual and gender-based violence in armed conflict,

Noting also the work undertaken by States, the International Red Cross and Red Crescent Movement and other actors in the "Health Care in Danger" project to improve the protection of the provision of and access to health care,

Noting with appreciation Security Council resolution 2286 (2016) of 3 May 2016, and in this regard calling upon all parties to armed conflict to respect and protect the wounded and sick, as well as health-care personnel, humanitarian personnel exclusively engaged in medical duties and their means of transport and equipment, as well as hospitals and other medical facilities, in armed conflict, in accordance with their obligations under international humanitarian law,

Noting the serious concern expressed by States regarding the humanitarian impact caused by cluster munitions, and noting the entry into force of the Convention on Cluster Munitions[5] on 1 August 2010,

Noting also the entry into force of the Arms Trade Treaty[6] on 24 December 2014,

Welcoming the important contribution to the protection of victims of armed conflicts made by the significant debate generated by the publication in 2005 of the study by the International Committee of the Red Cross on customary international humanitarian law, as well as other recent initiatives by the Committee, welcoming also its efforts to update regularly its customary international humanitarian law database, and looking forward to further constructive discussion on the subject,

Acknowledging the fact that the Rome Statute of the International Criminal Court[7] covers the most serious crimes of international concern under international humanitarian law and that the Rome Statute, while recalling that it is the duty of every State to exercise its criminal jurisdiction over those responsible for such crimes, shows the determination of the international community to put an end to impunity for the perpetrators of such crimes and thus to contribute to their prevention,

Noting the amendments to article 8 of the Rome Statute of the International Criminal Court, relating to war crimes under the Rome Statute, adopted on 10 June 2010 at the Review Conference of the Rome Statute, held in Kampala from 31 May to 11 June 2010,

Acknowledging the usefulness of discussing in the General Assembly the status of instruments of international humanitarian law relevant to the protection of victims of armed conflicts,

1. *Welcomes* the universal acceptance of the Geneva Conventions of 1949,[2] and notes the trend towards a similarly wide acceptance of the two Additional Protocols of 1977;[8]

2. *Calls upon* all States parties to the Geneva Conventions that have not yet done so to consider becoming parties to the Additional Protocols[3] at the earliest possible date;

3. *Calls upon* all States that are already parties to Protocol I,[4] or those States not parties, upon becoming parties to Protocol I, to make the declaration provided for under article 90 of that Protocol and to consider making use, where appropriate, of the services of the International Humanitarian Fact-Finding Commission in accordance with the provisions of article 90 of Protocol I;

4. *Calls upon* all States that have not yet done so to consider becoming parties to the Convention for the Protection of Cultural Property in the Event of Armed Conflict and the two Protocols thereto,[9] in the context of the upcoming twentieth anniversary of the Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, and to other relevant treaties on international humanitarian law relating to the protection of victims of armed conflict,

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[5] Ibid., vol. 2688, No. 47713.
[6] See resolution 67/234 B.
[7] United Nations, *Treaty Series*, vol. 2187, No. 38544.
[8] Ibid., vol. 1125, Nos. 17512 and 17513.
[9] Ibid., vol. 249, No. 3511, and vol. 2253, No. 3511.

5. *Calls upon* States to consider becoming parties to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;[10]

6. *Calls upon* all States parties to the Protocols Additional to the Geneva Conventions to ensure their wide dissemination and full implementation;

7. *Affirms* the necessity of making the implementation of international humanitarian law more effective, and supports its further strengthening and development;

8. *Notes with appreciation* the 10 resolutions adopted at the thirty-second International Conference of the Red Cross and Red Crescent, held in Geneva from 8 to 10 December 2015, in particular resolutions 1 to 4, recalls their importance, as well as the recommendations for further actions therein, in strengthening international humanitarian law, and notes with appreciation in this regard resolution 2, entitled "Strengthening compliance with international humanitarian law", in which the Conference, inter alia, recommended the continuation of an inclusive, State-driven intergovernmental process based on the principle of consensus and in line with the guiding principles of the consultation process to find agreement on features and functions of a potential forum of States and to find ways to enhance the implementation of international humanitarian law using the potential of the International Conference and international humanitarian law regional forums;

9. *Calls upon* Member States to actively participate in the thirty-third International Conference of the Red Cross and Red Crescent, to be held in Geneva in 2019;

10. *Welcomes* the activities of the Advisory Service on International Humanitarian Law of the International Committee of the Red Cross in supporting efforts made by Member States to take legislative and administrative action to implement international humanitarian law and in promoting the exchange of information on those efforts between Governments, and reminds Member States of the availability of the manual on domestic implementation of international humanitarian law;

11. *Also welcomes* the increasing number of national commissions or committees for the implementation of international humanitarian law and their work in promoting the incorporation of treaties on international humanitarian law into national law and disseminating the rules of international humanitarian law, and encourages Member States that have not yet done so to consider establishing national commissions or committees with the support of national Red Cross and Red Crescent societies where relevant, to advise and assist Governments in implementing and disseminating knowledge of international humanitarian law;

12. *Commends* the International Committee of the Red Cross for organizing the universal meeting of national committees and similar bodies on international humanitarian law, held in Geneva from 30 November to 2 December 2016, and invites the International Committee of the Red Cross to continue to organize this meeting;

13. *Requests* the Secretary-General to submit to the General Assembly at its seventy-fifth session a comprehensive report on the status of the Additional Protocols relating to the protection of victims of armed conflicts, as well as on measures taken to strengthen the existing body of international humanitarian law, inter alia, with respect to its dissemination and full implementation at the national level, based on

[10] Ibid., vol. 2173, No. 27531.

information received from Member States and the International Committee of the Red Cross;

14. *Encourages* Member States and the International Committee of the Red Cross, in transmitting information to the Secretary-General, to focus on new developments and activities during the reporting period;

15. *Encourages* Member States to explore ways of facilitating the submission of information for future reports of the Secretary-General and, in this context, to consider the convenience of using a questionnaire as drafted by Member States, with the assistance of the International Committee of the Red Cross and, as appropriate, in consultation with the Secretariat, for submission to the General Assembly at its seventy-fifth session;

16. *Decides* to include in the provisional agenda of its seventy-fifth session the item entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts".